

DATE: June 14, 2007

TO: CVRC Board of Directors
Redevelopment Agency
Mayor and Councilmembers

VIA: Jim Thomson, Interim City Manager *JT*
Ann Hix, Acting Director of Community Development *AH*

FROM: Mandy Mills, Housing Manager, Community Development *MM*
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SUBJECT: Land Use Considerations and Financial Assistance for a 42-Unit Affordable Housing Development Located at 1501 Broadway, Known as "Los Vecinos"

Project Area:	Merged Chula Vista Project Area (Added Area)
Developer:	Wakeland Housing and Development Corporation
Project Site:	1501 Broadway
Project Type:	Residential
Project Description:	42-unit multi-family affordable housing development

INTRODUCTION

On December 18, 2006, Wakeland Housing and Development Corporation (Applicant) submitted applications requesting a zone change and design review for development of an affordable for-rent project on a 1.46-acre site located at 1501 Broadway, within the Merged Chula Vista Redevelopment Project Area (see Attachments 1, 2 and 3). The site is currently developed with the vacant Tower Lodge motel, which had been the subject of significant code enforcement issues for a variety of violations and was subsequently closed and boarded up. The project proposes 42 multi-family affordable rental units. State law (Government Codes 65854-65861) and Chula Vista Municipal Code Section 19.12.030 establish the process for adopting zone changes of property. The Planning Commission and Chula Vista Redevelopment Corporation must hold public hearings on proposed actions and provide a written recommendation to the City Council.

In addition to the Rezone and Design Review, the project involves a request for three density bonus incentives or concessions of certain development standards pursuant to California Government Code Section 65915-65918. Specifically, the applicant is requesting (1) a reduction

in the parking space requirements including an increased percentage of compact parking spaces, (2) a reduction in the open space requirements, and (3) a reduction in the required front setback to facilitate the development of this project. The requests, if approved, would permit the construction of 42 affordable residential units for extremely low, very low, and low income households.

Additionally, the applicant submitted a request to the Redevelopment Agency for financial assistance to the project in a loan amount not to exceed \$5,480,000. In August 2006, the Redevelopment Agency authorized an Exclusive Negotiating Agreement (ENA) and Predevelopment Loan in the amount of \$200,000 for the cooperative development of an affordable housing project on the Tower Lodge Motel site. Financing and development of Los Vecinos will utilize Low Income Housing Tax Credit financing to support the majority of the estimated \$16.9 million cost of constructing the project. With rents restricted at the proposed levels, the net operating income is insufficient to support a loan large enough to cover the project costs. Therefore, there remains a financing gap of approximately \$6 million. To close the financing gap, Wakeland has requested direct financial assistance of \$5,480,000.

ENVIRONMENTAL DETERMINATION

The Environmental Review Coordinator reviewed the proposed project for compliance with the California Environmental Quality Act and prepared an Initial Study, IS-07-017, in accordance with the California Environmental Quality Act (CEQA). Based upon results of the Initial Study, the Environmental Review Coordinator determined that the project could result in effects on the environment. However, revisions to the project made by, or agreed to, by the applicant would avoid the effects, or mitigate the effects, to a point where clearly no significant effects would occur. Therefore, the Environmental Review Coordinator has prepared a Mitigated Negative Declaration, IS-07-017 (see Attachment 4).

BOARDS/COMMISSIONS RECOMMENDATIONS

On May 23, 2007 the Planning Commission of the City of Chula Vista voted 7-0 to recommend that the City Council adopt Mitigated Negative Declaration IS-07-017, rezone the parcel, and approve incentives and concessions pursuant to the Density Bonus Law for the development of an affordable for-rent project by Wakeland Housing and Development Corporation.

On March 28, 2007, the Housing Advisory Commission voted to recommend approval to the City Council to provide up to a maximum of \$5,480,000 in financial assistance from the City's Low and Moderate Income Housing Funds to Wakeland Housing for the financing of a proposed 42 unit affordable housing project located at 1501 Broadway in Southwest Chula Vista.

On February 1, 2007, the Redevelopment Advisory Committee recommended that the Chula Vista Redevelopment Corporation approve the project proposal for Los Vecinos affordable housing development, located at 1501 Broadway in the Merged Chula Vista Redevelopment Project Area. The Committee members' support for the proposed project was based on the project's contribution to the provision of needed affordable housing in this area of the City and on the project's good planning and architecture.

RECOMMENDATION

1. That the Chula Vista Redevelopment Corporation adopt a resolution recommending that the City Council introduce an Ordinance:
 - a. Adopting Mitigated Negative Declaration (IS-07-017);
 - b. Approving a Zone Change (PCZ-07-06) of 1.46 acre site from CTP to R-3 zone; and
 - c. Approving the Density Bonus Incentives and Concessions
2. That City of Chula Vista City Council Introduce an Ordinance:
 - a. Adopting Mitigated Negative Declaration (IS-07-017);
 - b. Approving a Zone Change (PCZ-07-06) of 1.46 acre site from CTP to R-3 zone; and
 - c. Approving the Density Bonus Incentives and Concessions
3. That the Chula Vista Redevelopment Corporation adopt a resolution:
 - a. Approving Design Review (DRC-07-27); and
 - b. Recommending that the Redevelopment Agency of the City of Chula Vista conditionally approve up to a maximum of \$5,480,000 in financial assistance from the Agency's Low and Moderate Income Housing Funds
4. That the Redevelopment Agency of the City of Chula Vista adopt a resolution conditionally approving financial assistance from the Agency's Low and Moderate Income Housing Funds up to a maximum of \$5,480,000

DISCUSSION

1. Project Description

The project proposed by Wakeland Housing consists of the construction of 42 affordable rental housing units on a 1.46-acre lot. The property is located at 1501 Broadway, the former Tower Lodge Motel site, and is in the Merged Chula Vista Redevelopment Project Area. The property, just north of Anita Street, currently has a closed and blighted motel on the site. The motel has a long history of community complaints, code violations and police calls for service.

There will be 12 one-bedroom, 16 two-bedroom, and 14 three-bedroom units, a community room, and a laundry room. Additionally, the project includes the construction of parking, landscaping, open space, and access and circulation elements associated with the development (see Attachment 5). The project includes a community room, computer room, laundry room, and tot lot. Wakeland Housing's Resident Services Program has won awards for exemplary services.

Project Site: The project site is relatively flat and minimum grading will be required. The proposed 42 attached rental apartments will be located in a three-story building structure that will form a U-shape around an inner courtyard, which will provide common open space and recreation areas.

The community, computer, and laundry rooms will be on the first floor facing the courtyard. The courtyard will contain a tot lot, seating areas with tables and benches and a barbeque grills. A U-shaped driveway will provide vehicular access from Broadway to the north and south sides, as well as the rear, of the building structure. Pedestrian and vehicular access to the units is located on the street level. Approximately 21% of the site will be landscaped around the perimeter of the lot, as well as in the interior of the site. Sixty-eight parking spaces will also be located along the perimeter of the lot. Of the total parking spaces, 55 spaces will be provided in the surface parking lots (36 standard; 19 compact) and 13 standard spaces will be located under the south wing of the building structure.

Applicant: With over 5,000 units in its portfolio, Wakeland Housing and Development Corporation has significant experience in developing affordable housing. Most of Wakeland's developments are located in San Diego County, with some in other parts of Southern California, Northern California and Seattle. Wakeland's developments are diverse in housing type, unit type and financing structure, and they vary in size from 6 units to 504 units. Recent projects in the San Diego County, including some in redevelopment areas, include: "Lillian Place," a 74-unit rental project in the East Village in San Diego, "Town Square Row Homes," a 6-unit for sale project in downtown National City, and "Beyer Courts," in San Ysidro. Wakeland is well-qualified and has demonstrated their desire and commitment to partner with the City and Chula Vista Redevelopment Corporation, to develop a project that meets the City's affordable housing objectives and to work cooperatively with the public on the design of the project.

Affordability: The project will primarily serve extremely low and very low-income households (30 to 50 percent of the Area Median Income (AMI), helping meet the City's critical affordable housing needs and the expenditure and production requirements of the Redevelopment Agency for very low income housing. Based upon current HUD Income limits, monthly rents would range from approximately \$380 to \$1,000.

Sustainability Elements: The Los Vecinos project has been part of a modeling program offered through the National Energy Center for Sustainable Communities (NECSC) and the Gas Technology Institute (GTI). The City contracted with NECSC and GTI utilizing funds from the San Diego Gas & Electric (SDG&E) Partnership Grant Program. Through this program, NECSC and GTI are analyzing the energy, economic and environmental impacts of both planned and alternative building design options for the Los Vecinos project. Energy efficiency features already being designed into the project include the use of energy star appliances, instantaneous (tankless) water heaters, an energy efficient hydronic heating systems, radiant barrier roof sheathing, and Low-E windows.

The project will have several energy efficient, "green design" features. The first is the use of rooftop solar panels to generate electric power for the project. Through these panels, at least 90 percent of the building's electricity will be solar-generated, including the residential units, the community center, the laundry facilities, and all indoor and outdoor lighting. This project will be only one of two multifamily affordable projects in the region to have solar powered residential units.

2. Site Location and Surrounding Uses

The 1.46-acre subject property is located mid-block on the east side of Broadway, between Palomar and Anita Streets (see Attachment 1). The site is irregular in shape and has approximately 281 feet of frontage along Broadway and approximately 220 feet in depth.

The project site is located in an urbanized area of the city and is within the “Added Area” of the Amended and Restated Redevelopment Plan (2004) for the Merged Chula Vista Redevelopment Project Area. The project is also within the South Broadway District of the Southwest Area Plan of the City’s 2005 General Plan (see Attachment 6), which has a land use designation of Mixed Use Residential (MUR). The site is currently zoned Commercial Thoroughfare with a Precise Plan modifying district (CTP). The site for the proposed project was previously used as the Tower Lodge motel, which is currently vacant and boarded up.

Existing uses and land use designations adjacent to the site are as follows:

	Existing Uses	General Plan Designation	Zoning Designation
Subject Site	Closed Motel	Mixed Use Residential	Commercial Thoroughfare
North	Auto Repair Facility	Mixed Use Residential	Commercial Thoroughfare
South	Condominiums	Mixed Use Residential	One/Two-Family Residential
East	Storage Facility	Mixed Use Residential	Commercial Thoroughfare
West	Apartments across Broadway	Commercial Retail/High Density Residential	Commercial Thoroughfare /Apartment Residential

3. Land Use and Zoning

One item being presented for the City Council’s consideration is the rezone of the 1.46-acre site from the current CTP zone to the Apartment Residential (R-3) zone (see Attachment 2). As indicated in the previous table, the General Plan land use is Mixed Use Residential. The General Plan contains a vision and a set of policies for the area, which envision the South Broadway District as containing additional residential uses along South Broadway. The District focuses on increasing the viability of retail shops, providing for needed housing opportunities, and improving the appearance of this major corridor.

The current Zoning designation for the subject site is Commercial Thoroughfare with Precise Plan Modifying District (CTP). Since this designation does not implement the vision and policies of the 2005 General Plan for Mixed Use with Residential, the Applicant has requested a zone change to R-3 that would implement the General Plan policies and would allow the construction of the proposed project at the subject site.

4. Development Standards

The residential development has been evaluated using the R-3 zone development standards.

Assessor's Parcel Number:	622-092-05
Current Zoning	CTP - Commercial Thoroughfare – Precise Plan
Proposed Zoning	R-3 - Apartment Residential Zone
General Plan	MUR - Mixed-Use Residential
Proposed Building Coverage	30% of site
Lot Area	1.46 acres
DEVELOPMENT STANDARDS: REQUIRED	PROPOSED
Setbacks: Front Yard: 15 feet Side Yard: 5 feet Rear Yard: 15 feet	9 to 13 feet (Varies with building line in relation to right of way line) 56 feet min. 52 feet min.
Parking (per CVMC 19.62.050): 1 bd units (1 ½ spaces/du) 18 2-3 bds units (2 spaces) 60 Total 78 spaces	68 spaces
Building Height: Three and one-half stories or 45-feet	Three stories (37 feet)
Residential Density (R-3 zone): 32 units per acre	29 units per acre
Open Space Requirements (per R-3 zone): 1 –2 bds units: 400 sq. ft. (11,200 sq. ft.) 3 bds units: 480 sq. ft. (6,720 sq. ft.) Total: 17,920 sq. ft. of usable open space	14,189 square feet

Residential Density: Pursuant to CVMC 19.28.070, the allowable residential density of an apartment residential project is limited to the maximum residential density permitted in the R-3. The R-3 requires a minimum lot area of 1,350 square feet per dwelling unit on lots greater than 7,000 square feet (32 dwelling units/acre). Therefore, based on the area (1.46 acres) of the site, the maximum number of dwelling units that could be developed on the project site is 47 units. The project proposes 42 units, which would be below the maximum number of units permitted by the R-3 zone.

5. Density Bonus Considerations

California Government Code Section 65915 requires jurisdictions to provide density bonus and/or regulatory incentives to enable the production of affordable housing. The objective of the State density bonus law is to enable significant contribution to the economic feasibility of lower-income housing in proposed projects. Pursuant to Government Code section 65915(d)(2)(C), an applicant shall receive three incentives or concessions for projects that include at least 30 percent of the total units for lower income households, or at least 15 percent for very low income households. Since all of the units in the proposed project will be affordable to extremely low, very low, and low income households, the applicant is eligible for three incentives or concessions. The proposed

project does not require an increase in density in order to build 42 units. The applicant, however, has applied for a density bonus of "0%" in order to be eligible for the development standard concessions that will enable the proposed project to be built.

Cost Analysis: Staff has reviewed the requested concessions from the City's development standards. Based on project financing gaps, the concessions are necessary to provide the maximum number of units at affordable levels. Financing and development of Los Vecinos is proposed as a joint private-public partnership. Wakeland will be preparing an application to the State Tax Credit Allocation Committee for funding to support the majority of the estimated \$16,941,379 (\$403,366 per unit). Due to the financing programs Wakeland will be pursuing, the project will provide rents affordable to families at 30% to 60% of the AMI, and income and rent restrictions will be maintained for a period of 55 years. With rents restricted at these levels, the net operating income is insufficient to support a loan large enough to cover the project costs. Therefore, there remains a financing gap of \$5,480,000. It is proposed that the remaining financing gap be met by a loan from the Redevelopment Agency's Low and Moderate Income Housing Funds.

If Wakeland were required to meet City development standards for parking, open space, and building setback, it would result in a loss of units that could be built on the site. A loss of units would result in decreased net operating income for the project, which would generate an even greater financing gap, and a larger loan amount from the Redevelopment Agency. The density bonus incentives of parking, open space and building setback reductions help to offset an otherwise greater financing gap, which could result in the infeasibility of the project.

Additionally, the concessions do not have any specific adverse impacts as noted in California Government Code. The following three development standards qualify as density bonus incentives or concessions: parking, building setback, and open space, as described below.

Parking: The Applicant has requested that parking be one of the development standards concessions to be approved through the density bonus under California State Law. The proposed project plans show 68 parking spaces will be provided on site. These spaces will be located along the outer perimeter of the site. In accordance with the standards set forth by Section 19.62.050 of the Municipal Code, the proposed project would require 78 on-site parking spaces. In addition, the zoning ordinance only allows a maximum of 10% of the total number of parking spaces (8 spaces) to be compact. Standard parking spaces measure 9 feet x 19 feet and compact spaces measure 7.5 feet x 15 feet. The applicant is requesting a concession, as allowed under State Law, and is proposing to provide 68 spaces versus 78 spaces and 28% compact spaces versus 10% compact spaces.

Building Setback: The Applicant is also requesting a front building setback deviation from the Zoning Ordinance. The building setback requirement, as called for in the zoning ordinance, is 15 feet from the property line. The building structure shown on the plans is located approximately between 9 feet and 13 feet from the property line, representing a front setback reduction varying between 2 to 6 feet. However, the Applicant is also proposing to far exceed the side and rear yard setback requirements.

Open Space: Residential projects are required to provide on-site open space for residents to enjoy. The Chula Vista Municipal Code Section 19.28.090 requires the provision of 400 square feet of usable open space for 1 and 2-bedroom units, and 480 square feet for units with 3 or more bedrooms. The open space may be provided in common usable open space areas, private patios, balconies, or common recreational facilities. In accordance with the standards set forth by Section 19.28.090 and the proposed unit mix (28 one and two-bedroom and 14 three-bedroom), the total usable open space requirement for the project would be 17,920 square feet. The project's proposed open space is 14,189 square feet, which represents a difference of 3,731 square feet of useable open space. The proposed open space includes common exterior open space, a community room, and private patios and balconies.

6. Analysis

The project has been evaluated in accordance with the goals and objectives of the 2005 Chula Vista General Plan, the Housing Element, the 2004 Amended and Restated Redevelopment Plan's goals and objectives, and the Zoning Ordinance.

Rezone: The project site is currently designated by the 2005 General Plan as Mixed Use Residential (MUR) and it is zoned CTP. The General Plan Land Use and Transportation (LUT) Policies 42.3 and 42.9 for this area state:

"Encourage the development of residential units, mixed with the appropriate retail and professional office, in the area designated as Mixed Use Residential between Palomar Street and Anita Street"; and

"In the South Broadway District, residential densities within the Mixed Use Residential designation between L Street and Naples Street and between Palomar Street and Anita Street are intended to have a District-wide gross density of 30 dwelling units per acre".

The 2004 Redevelopment Plan's goals are to:

"Provide low and moderate income housing as is required to satisfy the needs and desires of the various age and income groups of the community, maximizing the opportunity for individual choice, and meeting the requirements of State Law."

"Achieve an environment reflecting a high level of concern for architectural, landscape, and urban design principles appropriate to the objectives of this Plan."

The current CT-P zone does not allow the development of residential projects. The requested rezone to R-3 would allow the construction of the proposed residential project at the requested density. This would implement General Plan LUT 42.3 and the 2004 Redevelopment Plan by providing additional affordable residential units in the area between Palomar and Anita Streets, which would achieve a better balance with the existing commercial and industrial developments. In addition, LUT 42.9 states that the subject area is intended to have district-wide densities of 30

dwelling units per acre. The project proposes 42 units on the 1.46-acre site, which results in a net density of 29 dwelling units per acre. The residential density would provide a more urban, pedestrian-oriented project design that would be compatible with the surrounding land uses.

CVMC 19.80 controlled residential development ordinance: In the late 1980's, a citizen initiative referred to as the "Cumming's Initiative" was passed by a majority vote of the electorate and was incorporated as Chula Vista Municipal Code (CVMC) Section 19.80 (Ord.2309 Initiative 1988). The purpose and intent of the initiative was generally to ensure the quality of life for the residents of Chula Vista through a variety of measures, including the provision of adequate public services and facilities commensurate with new development. In order to accomplish this, the Ordinance contains provisions that limit the rezoning of a property. Section 19.80.070 (D) states that:

"Rezoning commercial or industrial property to a residential zone shall be permitted only to the maximum residential density corresponding to the potential traffic generation that was applicable prior to the rezoning to residential."

For the proposed rezone, the comparison would be between the existing potential traffic generation associated with the development under the existing CT-P zone and the corresponding maximum residential density. Based on standard traffic generation rates (SANDAG 2002 Brief Guide of Vehicular Traffic Generation Rates for The San Diego Region), commercial and office uses generate significantly greater traffic than residential uses. For example, the existing 1.46 acre site (63,500 square feet) zoned CT-P would have the potential to develop up to a 95,396 square foot building. This is based on the CT-P zone's existing development standards which allow 50% lot coverage (50% x 63,500 sq. ft. site = 31,799 sq. ft.) and up to a three story height limit (3 stories x 31,799 sq. ft. per floor). Using SANDAG's standard traffic generation rates for commercial uses (40 trips /1,000 square feet), a total of 3,816 trips would be generated from a potential commercial building of that size.

Based on the criteria in section (D) above, the maximum residential density could not be more than the potential traffic generated by the commercial use (i.e. 3,816 trips). This equates to up to 636 multi-family units (3,816 trips/6 trips per multifamily dwelling unit) on the 1.46 acre site, or 435 dwelling units per acre. The project proposes a density of 29 du/ac. Because commercial and office uses generate significantly greater traffic than residential uses, a zone change from commercial to a multi-family residential category could never result in residential traffic generation greater than the corresponding potential traffic generation from a commercial development. Therefore, the zone change from commercial to residential would not conflict with Section 19.80.070 (D) of the ordinance.

Project Design Evaluation: The project's design was reviewed and evaluated based on the guidelines of the Design Manual and the development standards of the City's Zoning Ordinance. In general, the Design Manual's guidelines are intended to promote development which respects the physical and environmental character of the community and the site, and reflects functional and attractive site planning, and high quality design. The Design Manual provides guidelines on site planning, building architecture and landscaping.

Site Planning: The proposed site plan provides a clustering of the apartment units in one continuous U-shaped building structure, with the recreation area in the center and access/circulation and parking in the outer perimeter. The western façade of the building structure fronts on Broadway and is located close (9 -13 feet) to the property line, which creates an urban, pedestrian-oriented character. Clustering the units in one U-shaped structure provides adequate access from the street and from the parking lot to the residential units, and concentrates and shelters the courtyard elements in one area close to and visible from almost all the units.

From a pedestrian perspective, the building entrance on Broadway provides easy access into the building and all of the units on the three building floors via an internal hallway that follows the building shape. Three staircases, located on the west, north and south wings connect the three floors of the building.

Parking and vehicular circulation are well integrated into the project and do not dominate the site and building. Parking is well distributed around the site and allows for smooth circulation and appropriate access throughout the site and residential units. The location of parking in relation to the building promotes safety and convenience.

Building Architecture: In terms of building architecture, the City's Design Manual provides guidelines related to building compatibility, scale, articulation, fenestration, and materials and colors. The proposed project's design is characterized by a contemporary, cubist style, with a variety of architectural features. Every side of the building structure is designed as a principal facade. The building facades feature private balconies, patios, windows and canopies. Each of the residential units is defined by design features, such as roof parapets, balconies, patio walls, canopies and balconies, as well as color scheme.

In terms of the buildings compatibility with the surrounding building and design styles, it is important to note that the surrounding area is characterized by having a variety of architectural styles and forms, which include the mission style, pitched-roof style and minimalist industrial style. The most important characteristic of the proposed building is that it is a development of high quality with an architecture that is compatible with the eclectic nature of the surrounding properties in terms of form, shape, colors and materials. The building design employs variations in form, building details and siting in order to create visual interest.

The project has a common architectural theme and design characteristics, which provide architectural unity for the entire project. The chosen architectural style is carried throughout all of the elevations. The façade design provides sufficient relief and offsets which define each of the units and presents them as part of an integrated whole. The placement, arrangement and relationship of windows and façade structures are well coordinated and achieve a unified building composition. These characteristics of the building architecture are consistent with the guidelines of the Chula Vista Design Manual.

Density Bonus: Staff has reviewed the requested concessions from the City's development standards. Below is an analysis of the development standard concessions applied for under SDBL.

Parking: The zoning ordinance requires the provision of 78 on-site parking spaces (representing an average of 1.86 spaces per unit). The proposed project plans show 68 parking spaces (which represents an average of 1.62 spaces per unit) will be provided on site, 19 of which will be compact spaces. In addition, the zoning ordinance only allows a maximum of 10% of the total number of parking spaces (7 spaces) to be compact. The concessions, as allowed under State Law, would allow 68 spaces versus 78 spaces and 28% compact spaces versus 10% compact spaces.

The proposed parking ratio is supported by data from other affordable housing developments in San Diego County and California, as reported by the City of San Diego and the Non-Profit Housing Association. Both parking studies show that parking needs at affordable projects average 1 space per unit.

The applicant has demonstrated that their affordable housing projects (located throughout San Diego County) with similar parking reductions have not experienced parking shortages. In those projects, as will be done in the proposed Los Vecinos project, property management assigns residents one or two parking spaces according to the size of their unit and the number of vehicles they have. In Wakeland's Beyer Courtyards project in San Ysidro and Vista Las Flores project in Carlsbad, parking supply exceeds demand. Many families that qualify for affordable housing, have one family car, or may not have a car. The table below indicates that half to three-fourths of two-bedroom units and about half of three-bedroom units use zero or one parking spaces. In other words, only one-fourth to half of all two and three-bedroom units request two parking spaces.

	Total Units	Total Parking Spaces	Spaces Used	Utilized Parking Ratio	% 2BR with 0 or 1 space	% 3BR with 0 or 1 space
Beyer Courtyards, San Ysidro	28	49	42	1.5	76%	53%
Vista Las Flores, Carlsbad	60	115	74	1.23	53%	45%

Using these examples for the Los Vecinos project, and operating from the most conservative assumptions, the number of parking spaces (68) provided would exceed demand. Assuming that all 12 of the one-bedroom units would require one parking space, and that half of the 30 2-bedroom and 3-bedroom units would require two spaces, the parking demand would be for 57 spaces. That would still leave a surplus of 11 spaces.

Building Setback: Section 19.28.070 requires a front building setback of 15 feet from the property line. The proposed building setback ranges between 9 feet to 13 feet due to the buildings façade articulation, which includes recessed surfaces and projections such as balconies. While the proposed setback would deviate from the Zoning Ordinance, the reduction in the setback would afford the project a more urban and pedestrian-oriented

character by being closer to the sidewalk, as compared with a suburban type of development with larger front setbacks. An urban project is more compatible with the urban character of the western part of the City. Thus, the reduced setback provides the benefit of bringing the building closer to the street giving the project a more urban character.

Open Space: Section 19.28.090 of the Municipal Code requires a minimum of 400 sq. feet of open space per 1 to 2-bedroom dwelling unit and 480 square feet for the 3-bedroom unit. The open space may be provided in the form of common usable open space areas, private patios, balconies, or common recreational facilities.

Based on the proposed project's number and type of dwelling units, the open space requirement is 17,920 square feet of usable open space or an average of 426 square feet per unit. As planned, the project would provide a total of 14,189 square feet of usable open space in the form of common exterior open space, a community room, and private patios and balconies. This represents an average of approximately 360 square feet per dwelling unit. It should be noted that, while all the dwelling units have balconies, the open space calculation only includes balconies that meet the minimum space requirement (60 square feet). Balconies that have less than 60 square feet in area and those balconies that front Broadway are not counted toward the open space requirement. Based on these calculations, the project's open space deficit is approximately 3,731 square feet or an average reduction of 89 square feet per unit.

The reduction in required usable open space at Los Vecinos will not affect the residents' quality of life, as the proposed open space is well designed, and will be serviced by a variety of programs to keep the residents active and involved. Each apartment will have either a private balcony or patio, providing residents with their own usable outdoor space while also bringing them out of their units. The common outdoor space will include a tot lot for the children, open play space, and a barbecue area with seating and tables for the residents' use. An 807 square foot community center will provide resident services programs including computer classes, tutoring, arts and crafts, and outdoor recreation activities.

7. Affordable Housing Funding

In August 2006, the Redevelopment Agency authorized an Exclusive Negotiating Agreement and Predevelopment Loan in the amount of \$200,000 for the cooperative development of an affordable housing project on the Tower Lodge Motel site. The predevelopment period was successful, bringing forward the proposed project Los Vecinos.

Financing and development of the Los Vecinos is proposed as a joint private-public partnership. Wakeland will be using Low Income Housing Tax Credit financing, and California Community Reinvestment Corporation Loan to support the majority of the estimated \$16.9 million cost of constructing the project. The leveraging of local dollars is necessary to obtain the tax credit financing for the project.

Due to the financing programs Wakeland will be pursuing, the project will provide rents affordable to families at 30% to 60% of the AMI and income and rent restrictions will be maintained for a period of 55 years. With rents restricted at these levels and for this time period, the net operating income is insufficient to support a loan large enough to cover the project costs. Therefore, there remains a financing gap of approximately \$5.48 million. Wakeland has requested financial assistance from the Redevelopment Agency's Low and Moderate Income Housing Funds (Low/Mod Funds) to cover this gap. This subsidy, in addition to the \$200,000 Predevelopment Loan, equates to a per unit subsidy of \$135,238. The Agency's funds would be used to restrict 42 of the units for extremely low, very low, and low-income households for a period of 55 years.

As specified in the City's Housing Element, the Regional Housing Needs Assessment estimates a total need of 3,875 new housing units for extremely low and very low-income households. By using City funds to assist this income category, the City is able to make progress towards its own Housing Element goals and Redevelopment Inclusionary/Funding obligations.

Income and Rent Restrictions: The income and rent restrictions will be incorporated into the various deed restrictions for Los Vecinos. Compliance with these restrictions will be subject annually to regulatory audit and annual tax credit certification. Compliance with strict property management policies and procedures will ensure that income and rent restrictions will be maintained for the full 55-year compliance period, and will bind all subsequent owners of Los Vecinos, so that the commitment remains in force regardless of ownership.

Unit Description	No. of Units	Target Income Group	Area Median Income (4 Persons)	Proposed Rents
1 Bd/1 Ba	1	30% AMI	\$16,550	\$380
2 Bd/1 Ba	2	30% AMI	\$18,650	\$427
3 Bd/2 Ba	2	30% AMI	\$20,700	\$493
1 Bd/1 Ba	2	45% AMI	\$22,850	\$576
2 Bd/1 Ba	2	45% AMI	\$25,700	\$646
3 Bd/2 Ba	3	45% AMI	\$28,550	\$747
1 Bd/1 Ba	6	50% AMI	\$27,600	\$638
2 Bd/1 Ba	8	50% AMI	\$31,050	\$719
3 Bd/2 Ba	7	50% AMI	\$34,500	\$831
1 Bd/1 Ba	3	60% AMI	\$33,100	\$768
2 Bd/1 Ba	3	60% AMI	\$37,250	\$865
3 Bd/2 Ba	2	60% AMI	\$41,400	\$1,000
MGR	1	N/A	N/A	N/A
Total Restricted	42			

Financial Structure: Below is a summary of development costs and associated sources.

COST	AMOUNT	SOURCE	AMOUNT
Land Purchase	\$2,787,000		
Construction	\$7,824,898		
Site Improvements	\$1,200,000		
Contingency	\$682,142	Tax Credit Equity	\$9,088,014
Permits & Fees	\$1,080,000	Permanent Loan	\$1,686,655
Interest/Fees, Financing Costs	\$914,839	Solar Rebate	\$257,040
Design/Engineering	\$806,000	City Loan	\$5,480,000
Developer Fees	\$1,350,000	City Predevelopment Loan	\$200,000
Reserves, Legal, Other	\$296,500	Deferred Developer Fee	\$229,670
TOTAL ESTIMATED COST	\$16,941,379	TOTAL SOURCES	\$16,941,379

Staff is recommending up to \$5,480,000 in financial assistance from Low/Mod Funds, to assist in the development of the units. Including the \$200,000 already distributed in the form of a Predevelopment Loan, the City's assistance would equate to approximately \$135,238 per unit. The Agency is required to use Low/Mod Funds solely for the purpose of providing affordable housing for low and moderate-income persons.

While the subsidy appears high, affordable housing developments are not able to adapt to rising land and construction costs. In recent years, land and construction costs have risen dramatically. Affordable developments are limited in their ability to generate income based upon the restricted rents. With the proposed development targeting deeper affordability levels of extremely low and very low income households, the project will not be able to generate sufficient revenues to support the development costs. Agency financial support is essential to the successful completion of an affordable project on this site.

There is currently an available fund balance of \$5.2M in Low/Mod Funds. The Agency receives approximately \$2M annually in Low/Mod Funds. This development provides the Agency with an opportunity to expend redevelopment funds on an affordable housing development that is located in a redevelopment project area and which assists extremely low and very low income households. Both of these factors are noteworthy given the Agency's requirement to provide 6 percent of the housing within Redevelopment Project Areas as affordable to very low income households (California Health & Safety Code § 33413) and to expend its Redevelopment Agency Low and Moderate Income Housing funds in proportion to the needs of very low, low and moderate income households (California Health & Safety Code § 33334.4). The Council's/Agency's leadership to proactively plan for affordable housing opportunities in the redevelopment project areas is critical to meeting the Redevelopment Agency's legal obligations. The timely production of affordable units is a priority because of the nearing expiration dates of the various project areas.

Assistance will be in the form of a loan secured by a note and deed of trust recorded against the property. The principal and interest on the loan will be amortized over fifty-five years and repaid from cash surplus in annual installments. Terms of the loan will be further negotiated and all related loan documents will be presented to the Agency for approval at a later date. It is

recommended that funding approved for Los Vecinos be conditioned on approval of all other funding necessary to fund the project.

Article XXXIV: This project is not exempt under Article XXXIV of the State Constitution. Article XXXIV of the California Constitution (Article 34) requires that voter approval be obtained before any "state public body" develops, constructs or acquires a "low rent housing project". The restriction of the 42 units will be allocated through the 66 remaining units per Proposition C, which authorized the development, construction and acquisition of 400 units of housing for persons of low-income passed April 11, 1978. This leaves 24 units under the original 400 units approved by voters in 1978. Voters approved an additional 1,600 units in November 6, 2006.

8. Community Input

Several community meetings regarding the proposed project were held at various locations from October 2006 through March 2007. The applicant conducted an initial community meeting near the project site on October 9, 2006, and noticed the meeting to residents and property owners within 500 feet of the project site. The applicant also met with community groups; with Northwest Civic Association on January 1, 2007 and with Southwest Chula Vista Civic Association on January 18, 2007. The applicant received positive comments at all of the meetings, and the Southwest Chula Vista Civic Association submitted a letter of support for the project.

The Redevelopment Advisory Committee (RAC) reviewed the project at a public meeting on February 1, 2007. Both the Southwest and Northwest Civic Associations, and the public at large expressed overwhelming support for the project at the meeting. The RAC voted to move the project forward with a single review. The RAC meeting was publicly noticed, including notices to residents and property owners within 500 feet of the project site. The project was reviewed at another public meeting by the Housing Advisory Commission (HAC) on March 28, 2007. The HAC also recommended approval of the project and financial assistance.

Recently, staff received a petition regarding the proposed project from several residents of the Villa de Anita condominium complex (see Attachment 7). The residents who signed the petition were included in the 500-foot radius noticing, as described above. In a continued effort to ensure that all residents, particularly neighbors, have had an opportunity to learn about the project and provide input, staff invited those residents who expressed concern about the project to an additional meeting on Monday, May 21st. The applicant's project team was present to provide information regarding the project and to answer any questions, however no residents attended.

On May 23, 2007 the Planning Commission voted 7-0 to recommend approval of the project, including all regulatory actions necessary to facilitate development of the project.

DECISION MAKER CONFLICT

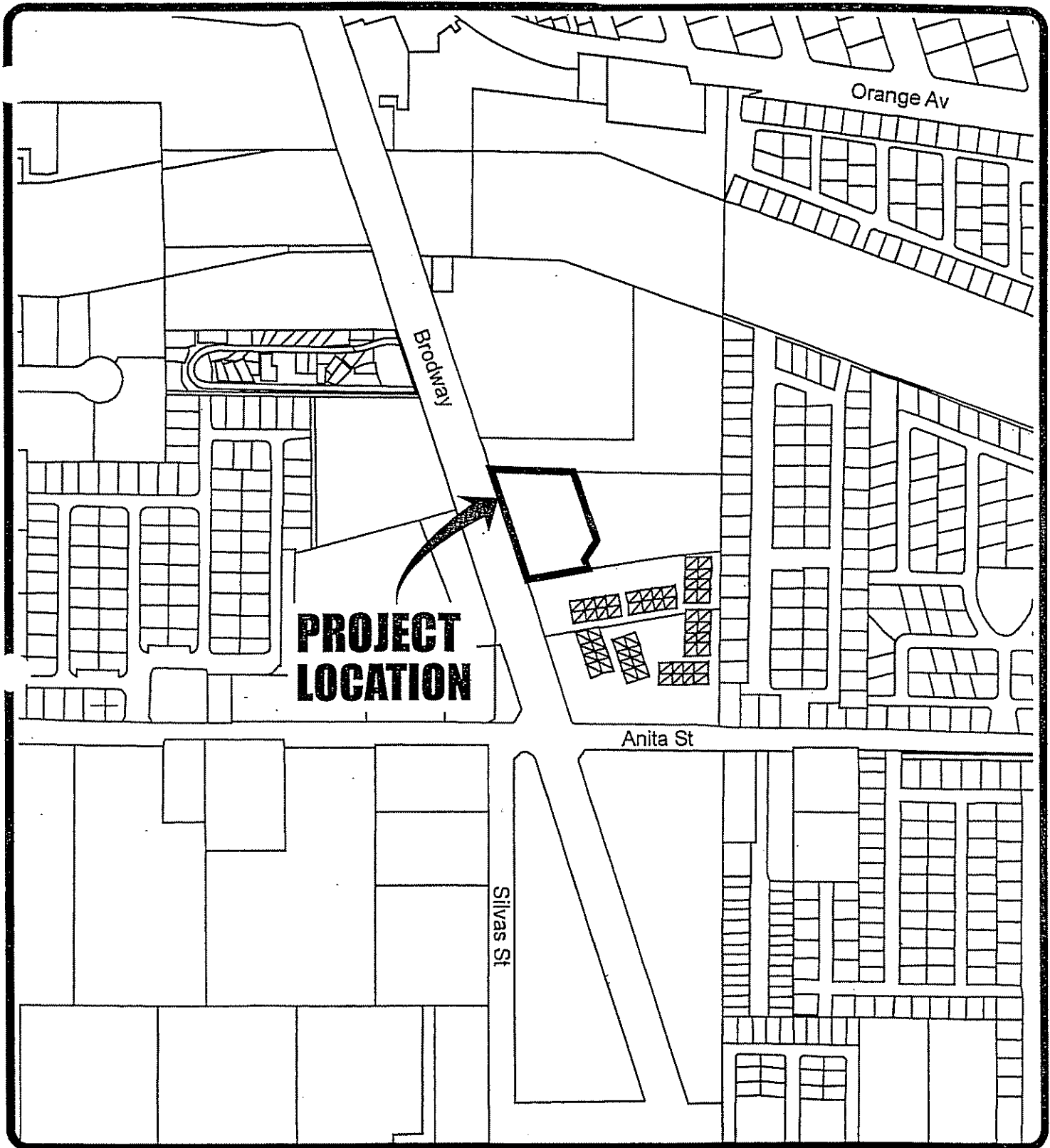
Staff has reviewed the property holdings of the CVRC Board and City Council members and has found no property holdings within 500-feet of the boundaries of the property which is the subject of this action.

ATTACHMENTS

1. Locator Map
2. Aerial Map with Proposed Zone Change
3. Development Application with the following appendices:
 - Appendix A - Project Description and Justification
 - Appendix B - Disclosure Statement
 - Appendix C - Development Permit Processing Agreement
4. Mitigated Negative Declaration (IS-06-008)
- 5.a. Site Plan
- 5.b. Development Plan Package (Distributed to Board Members only; copy on file at the Community Development Department)
6. General Plan Southwest Planning Area – South Third Avenue District
7. Letters of Support/Protest

PREPARED BY: Miguel Tapia, Senior Community Development Specialist
Sarah Johnson, Community Development Specialist
Jose Dorado, Community Development Specialist

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CHULA VISTA PLANNING AND BUILDING DEPARTMENT

LOCATOR



NORTH

PROJECT APPLICANT: Wakeland Housing & Development Corp.

PROJECT ADDRESS: 1501 Broadway 2-17

SCALE: No Scale

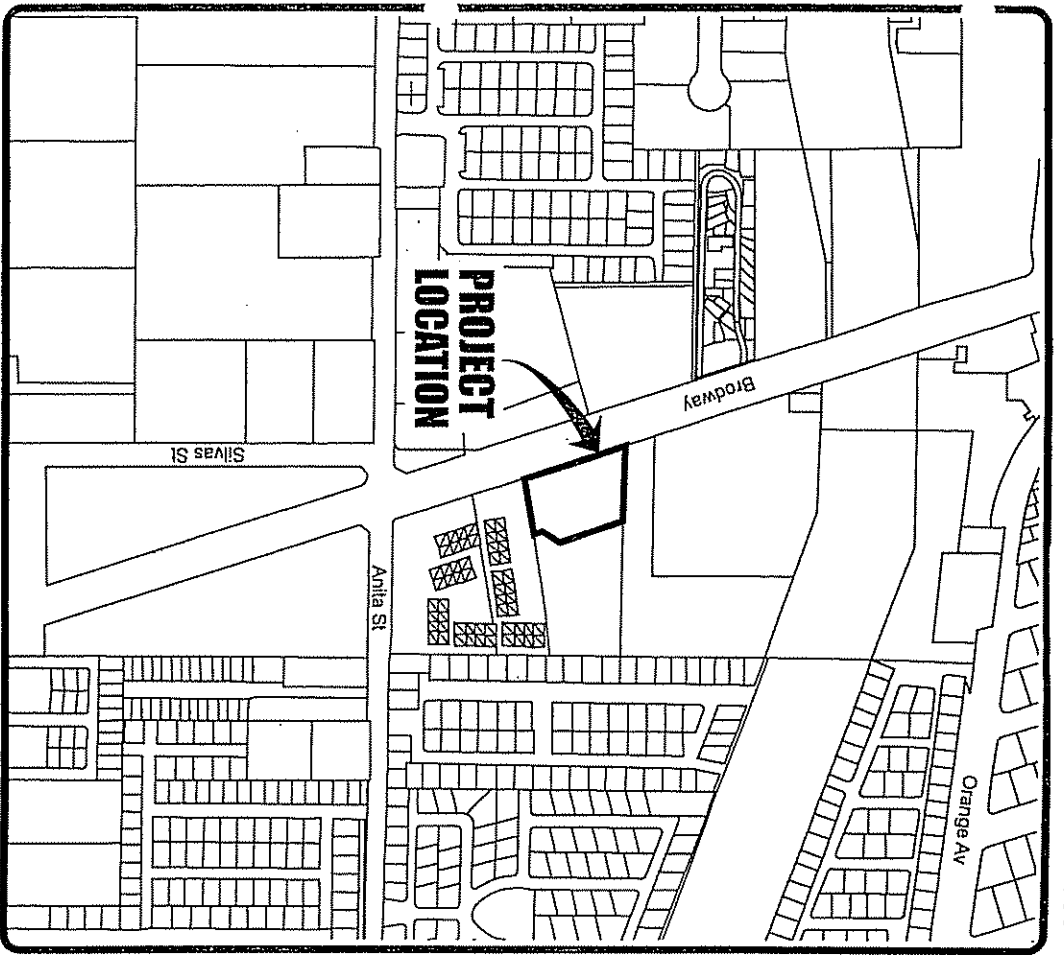
FILE NUMBER: DCR-07-27

PROJECT DESCRIPTION:

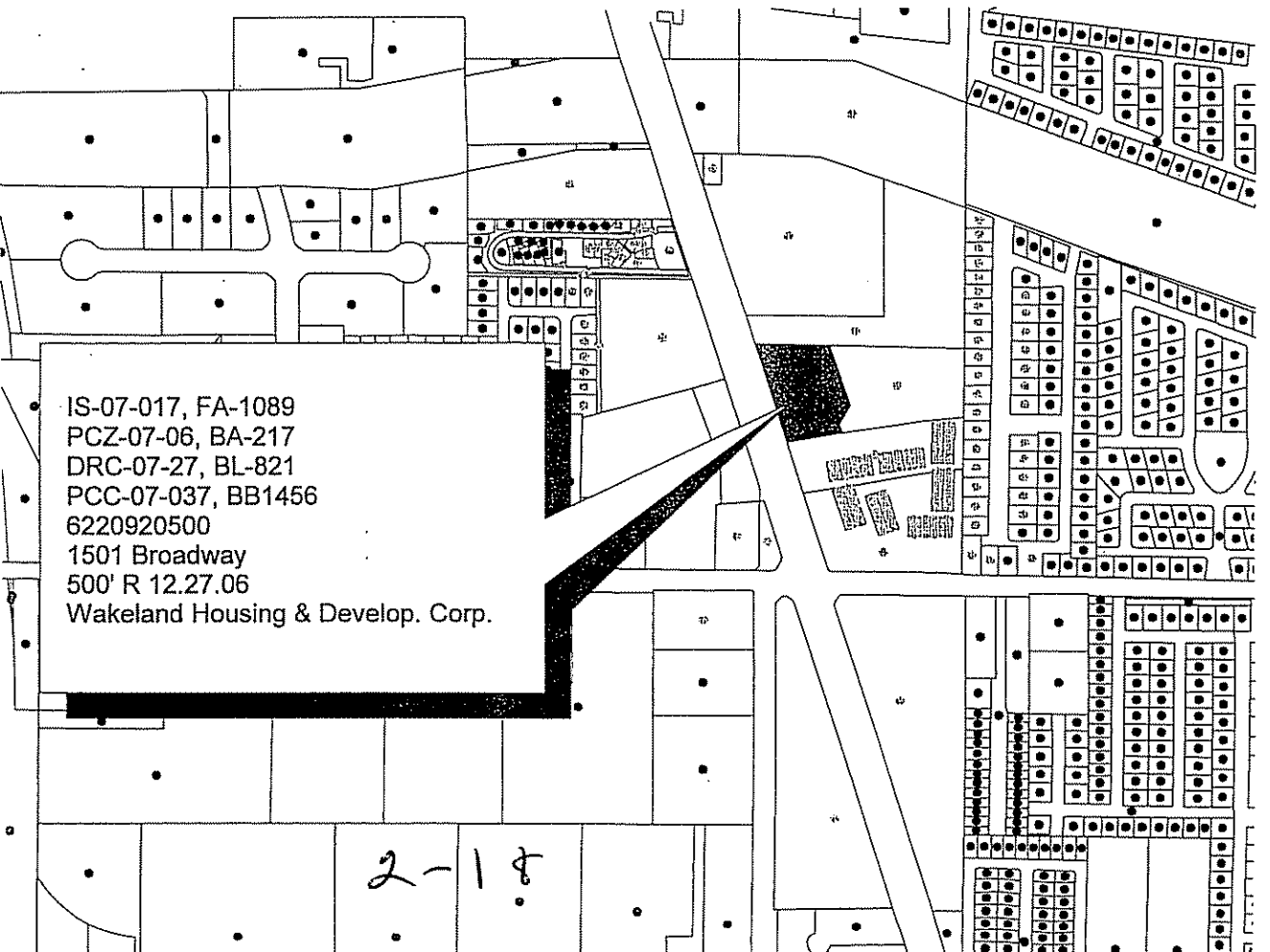
DESIGN REVIEW

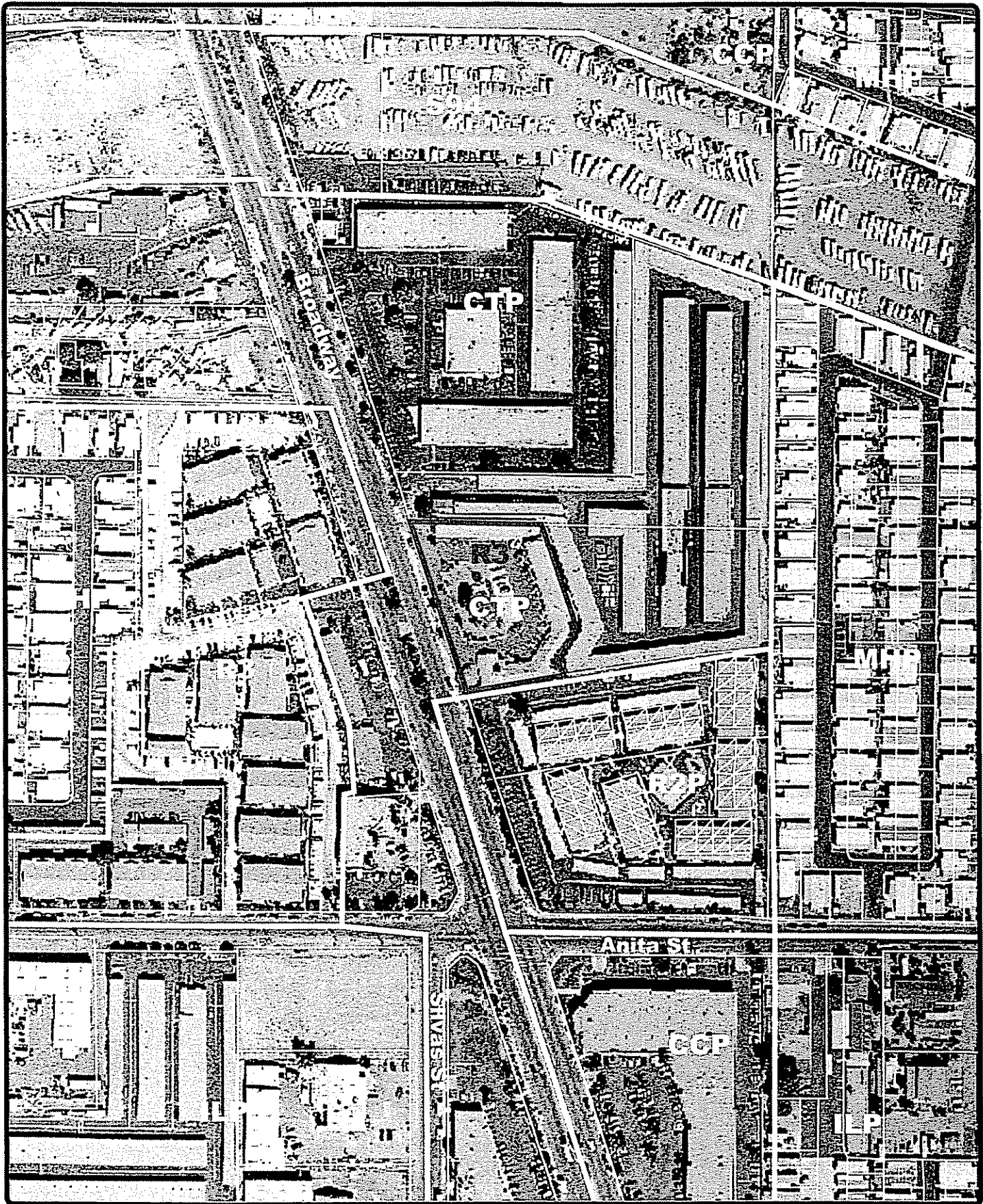
Project Summary: Proposed: 42-units of affordable, multifamily rental housing with a community center for residents.

Related cases: IS-07-017, PCZ-07-06 & PCC-07-037



<p>CHULA VISTA PLANNING AND BUILDING DEPARTMENT</p>	
<p>LOCATOR</p> <p>PROJECT: Wakeland Housing & Development Corp. PROJECT ADDRESS: 1501 Broadway</p>	<p>PROJECT DESCRIPTION:</p> <p>DESIGN REVIEW</p> <p>Project Summary: Proposed: 42 units of affordable, multifamily rental housing with a community center for residents.</p> <p>Related cases: IS-07-017, PCZ-07-06 & PCC-07-037</p>
<p>SCALE: No Scale</p> <p>FILE NUMBER: DCR-07-27</p>	<p>NORTH</p>





City of Chula Vista
"LOS VECINOS" PROJECT LOCATION

— Project Location / Proposed
Zone Change
Existing Zones



Planning & Building Department
Planning Division | Development Processing

APPLICATION ■ DEVELOPMENT PROCESSING ■ TYPE B
Part 1

Type of Review Requested

- ☐ General Plan Amendment
☐ General Development Plan ☐ New (or) ☐ Amendment
☐ SPA/Specific Plan ☐ New (or) ☐ Amendment
☒ Zone Change
☐ Tentative Subdivision Map
☐ Annexation
☐ Other: _____

DEC 14 2006

STAFF USE ONLY

Case #: PC2-07-06

Filing Date: 12-14-06 By: H.A.

Assigned Planner: Miguel Tapia

Receipt #: _____

Project Account: BA-217

Deposit Account: 1405

Related Cases: TS-07-07; DEC-07-27; PCC-07-037

Application Information

Applicant Name: Wakeland Housing and Development Corporation

Applicant Address: 625 Broadway, Ste. 1000, San Diego, CA 92101

Contact: Rebecca Louie

Phone: 619-235-2296 x313

Applicant's Interest in Property (If applicant is not the owner, the owner's authorization signature at the end of this form is required to process this request.) ☐ Own ☐ Lease ☒ In escrow ☐ Option to purchase

Engineer/Agent: Lintvedt, McColl & Assoc.

Address: 2810 Camino Del Rio S., Ste 200 San Diego, CA 92108

Contact: Lina Shaw

Phone: 619-294-4440

Primary contact is: ☒ Applicant ☐ Agent ☐ Email address of primary contact: rlouie@wakelandhdc.com

General Project Description (all types)

Project Name: Los Vecinos

Proposed Use: multi-family residential

General Description of Proposed Project: 42 units of affordable, multifamily rental housing with a community center for residents

Proposed: Zone change from CTP to R3 zone to allow residential affordable housing

Subject Property Information (all types)

Location/Street Address: 1501 Broadway, Chula Vista, CA 91911

Assessor's Parcel #: 622-092-05-00 Total Acreage: 1.46 gross Redevelopment Area (if applicable): 1.33 net

General Plan Designation: MUR Zone Designation: CTP

Planned Community (if applicable): NA

Current Land Use: Commercial Within Montgomery Specific Plan? ☐ Yes ☒ No

General Plan Amendment

Proposed Land Use Designation: NA

Justification for General Plan change: _____



APPLICATION ■ DEVELOPMENT PROCESSING ■ TYPE B

Part 2

General Development Plan

General Development Plan Name: NA

Proposed Land Uses / Total Acres:

Commercial / _____ Acres	Industrial / _____ Acres
Parks / _____ Acres	Schools / _____ Acres
Community Purpose / _____ Acres	Circulation / _____ Acres
Public/Quasi / _____ Acres	Open Space / _____ Acres

Residential / Range:

Single Family Detached / _____ to _____ Units _____ Acres
Single Family Attached / _____ to _____ Units _____ Acres
Duplexes / _____ to _____ Units _____ Acres
Apartments / _____ to _____ Units _____ Acres
Condominiums / _____ to _____ Units _____ Acres
TOTALS / _____ to _____ Units _____ Acres

Annexation

Prezoning: NA LAFCO Reference #: _____

Tentative Subdivision Map

Subdivision Name: NA CV Tract #: _____
Minimum lot size: _____ Number of units: _____ Average lot size: _____

Zone Change

☒ Rezoning ☐ Prezoning ☐ Setback

Proposed zoning: R3

Authorization

Print applicant name: Kenneth L. Sauder, President, Wakeland Housing & Development Corp.

Applicant Signature: Kenneth L. Sauder Date: 12-11-06

Print owner name: Charles Jung 2-21

Owner Signature: Letter of consent attached Date: _____

Proof of ownership may be required. Letter of consent may be provided in lieu of signature.

November 16, 2006

City of Chula Vista
276 Fourth Ave.
Chula Vista, CA 91910

RE: Letter of Consent

Dear City of Chula Vista:

I am the owner of the property at 1501 Broadway in Chula Vista, CA (APN 622-092-05-00). The property is currently in escrow for sale to Wakeland Housing and Development Corporation. Wakeland is planning to construct an affordable, multifamily rental housing development on the site.

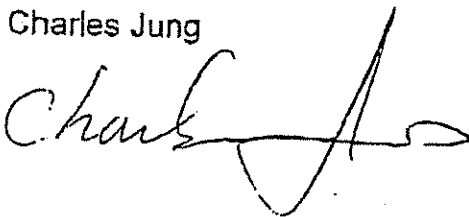
This Letter of Consent is to authorize Wakeland Housing and Development Corporation to submit the following applications to the City of Chula Vista for the 1501 Broadway site:

-
- Design Review
 - Zoning Change
 - Conditional Use Permit
 - Preliminary Environmental Review

Please feel free to contact me at 619.261.5887 if you have any questions.

Sincerely,

Charles Jung

A handwritten signature in black ink, appearing to read 'Charles Jung', with a stylized flourish at the end.



APPLICATION APPENDIX A

Project Description & Justification

Project Name: Los Vecinos

Applicant Name: Wakeland Housing and Development Corporation

Please fully describe the proposed project, any and all construction that may be accomplished as a result of approval of this project, and the project's benefits to yourself, the property, the neighborhood, and the City of Chula Vista. Include any details necessary to adequately explain the scope and/or operation of the proposed project. You may include any background information and supporting statements regarding the reasons for, or appropriateness of, the application. Use an addendum sheet if necessary.

For all Conditional Use Permits or Variances, please address the required "findings" as listed in the Application Procedural Guide.

See Attachment: Appendix A

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**Attachment: Appendix A
Project Description and Justification
Preliminary Environmental Review**

Project: Los Vecinos
Applicant: Wakeland Housing and Development Corporation

Project Description

Overview

Wakeland Housing and Development Corporation, an experienced developer of affordable housing, is proposing to develop 42 units of affordable, family rental housing on the former Tower Lodge Motel site located at 1501 Broadway within the Merged Chula Vista Redevelopment Project Area. Wakeland has entered into an Exclusive Negotiating Agreement (ENA) with the City for the development of the site.

Los Vecinos will be a family project, providing the following unit mix: 12 one-bedrooms, 16 two-bedrooms, and 14 three-bedrooms. One hundred percent of the units will be affordable to extremely and very low income families, with rents ranging from 30 to 60 percent of Area Median Income.

The project will be extremely well managed, and will provide high quality resident services. All of Wakeland Housing's board of directors and staff are committed to providing resident services programs that strengthen families and help them reach greater levels of economic stability and personal growth. Wakeland goes way beyond bricks and mortar to provide residents with award-winning programs that nurture the potential of youth, adults and seniors living in our communities.

We seek out residents' input and guidance in tailoring meaningful and comprehensive services to meet their needs and interests. And we do so with respect and compassion. All of Wakeland's programs are free to our residents. We do not duplicate services already offered in the greater community. Instead we design and implement a customized program plan, collaboratively bringing residents together with community groups.

Wakeland's Youth Programs provide educational support, activities and structured sports with a goal of providing positive alternatives and strong role models for children of all ages. Our Adult Programs strive to provide people with practical skills in computers and literacy that will increase their financial potential.

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Community Outreach

Wakeland has held one community meeting on the Los Vecinos project. Residents, business owners, and community groups from the area were invited to learn about and comment on the project. Meeting attendees were highly supportive of the project, noting that it meets a strong demand for affordable family housing in the area.

Zoning

The property has a General Plan designation of Mixed Use Residential (MUR) and is within the South Broadway District. The zoning for the property is Thoroughfare Commercial with a Precise Plan modifier (CTP) and is currently inconsistent with the General Plan designation. To implement this designation a rezone of the property will be required to allow a residential land use, which is compatible with the MUR designation. While a mix of land uses are envisioned for this district, development of any one of these land uses separately will still be compatible with the General Plan vision and policies for the district. This approach would constitute "horizontal mixed use."

Financing

Financing and development of this project is proposed as a joint private-public partnership. Wakeland is proposing to obtain Low Income Housing Tax Credit financing to support the majority of the cost of constructing the project, with the gap being closed by Wakeland's deferral of a portion of their developer fee and funding of approximately \$5,500,000 from the City's Redevelopment Agency. Agency financial support will be essential to the successful completion of an affordable project on this site.

Developer Qualifications

Wakeland was established in 1999 as a nonprofit corporation. Our mission is: "To develop quality affordable housing projects with resident-education programs for low-income families." With its for-profit and non-profit partners, Wakeland has developed, acquired and rehabilitated over 5,000 units of affordable housing, emerging as a leader in affordable housing communities in San Diego and throughout California.

Wakeland works with a variety of municipalities, developers and redevelopment agencies throughout California. They utilize federal, state and local funding resources including tax exempt bonds and tax credits and leverage other funds from the private and public sectors.

Wakeland's board of directors is comprised of affordable-housing, community and business leaders. Their team of highly qualified staff has expertise in both affordable housing and on-site resident service programs that offer unique opportunities for families and individuals to enhance their job marketability and enrich their lives.

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Justification

Benefits to Applicant

Development of the Los Vecinos project allows Wakeland Housing and Development Corporation to meet its mission "To develop quality affordable housing projects with resident-education programs for low-income families." Wakeland is committed to providing safe, quality, truly affordable housing that gives families the ability to gain stability and hope.

The Los Vecinos project allows Wakeland to:

Support Families – Stability breeds opportunity and prosperity. Residents of Los Vecinos will be able to take advantage of on-site vocational programs. Children will be able to sharpen their computer and reading skills. And more.

Support the community – Residents of Wakeland homes and apartments are part of the backbone of our workforce – teachers, nurse's aides, firefighters, security personnel, grocery clerks, to name a few. Affordable housing lends stability so they can put down roots and support local businesses and the economy.

Support businesses – Companies lose valuable employees because they can't find affordable housing within reasonable proximity to their workplace. Los Vecinos will allow let employees live close to where they work, reducing their commute time. Businesses retain reliable employees.

Benefits to the Property

The property currently houses an abandoned, blighted motel. When it was operating, the motel had a high crime rate, as discussed above. Now that it is abandoned, it is poorly lit, creating a dangerous area for residents. Additionally, the site contains a large amount of trash, much of it from the old motel (old mattresses, phones, etc.). And, the motel buildings are in extremely poor condition.

The Los Vecinos project will dramatically revitalize the property, adding a well-designed building, attractive landscaping, and site lighting. The project is being designed by Carlos Rodriguez of Rodriguez Design Associates Architects and Planners, who has a strong reputation for building high quality, award-winning affordable housing, and extensive experience working in the City of Chula Vista.

Benefits to the Neighborhood

The Los Vecinos project will benefit the neighborhood in several ways:

- Providing new customers for area businesses
- Removing the blighted motel

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- Revitalizing the area with the addition of a new, high quality, well-designed project
- Providing affordable housing opportunities for residents
- Stimulating new development in a redevelopment area
- Increasing community safety with an "eyes on the street" design, on-site management, and quality site lighting.

Benefits to the City of Chula Vista

This project meets the City's critical housing needs, and the production requirements of the Redevelopment Agency for very low income housing. Advances Redevelopment Agency goals

Additionally, the development of the former Tower Lodge Motel site represents an opportunity to remove an existing blighted property. The motel has a long history of community complaints, code violations, and police calls for service. In 2004, Tower Lodge had the highest calls for service per room ratio in the City according to the Chula Vista Police Department, six times the median. Dating back to 1987 the motel has been issued numerous Notices of Code Violations. In 2005 the motel was posted as a substandard building, all tenants were ordered to vacate, and the owner secured the building, which has remained vacant since that time.

And, the development of the Los Vecinos project helps the City meet its goal of revitalizing and redeveloping Western Chula Vista, as described in its General Plan and its Housing Element. Los Vecinos will be a vibrant addition to the community, and will encourage further development in the area.

Finally, the project will provide much needed permanent, family rental housing in the City. The City's draft Housing Element puts forth the following policy objective: "Policy Focus 2.2 Support Housing Opportunities to Meet the City's Diverse Needs: Utilizing available resources, seek to preserve and provide sufficient, suitable, and varied housing by small and large family size, type of unit, and cost, particularly permanent affordable housing that meets the diverse housing needs of existing and future residents of Chula Vista.

Los Vecinos meets this need, providing housing for both small and large families. And, the housing will be permanently affordable.



Planning & Building Department
Planning Division | Development Processing

Disclosure Statement

Pursuant to Council Policy 101-01, prior to any action upon matters that will require discretionary action by the Council, Planning Commission and all other official bodies of the City, a statement of disclosure of certain ownership or financial interests, payments, or campaign contributions for a City of Chula Vista election must be filed. The following information must be disclosed:

1. List the names of all persons having a financial interest in the property that is the subject of the application or the contract, e.g., owner, applicant, contractor, subcontractor, material supplier.

Charles Jung (owner)
Wakeland Housing and
Development
Corporation (applicant)

2. If any person* identified pursuant to (1) above is a corporation or partnership, list the names of all individuals with a \$2000 investment in the business (corporation/partnership) entity.

3. If any person* identified pursuant to (1) above is a non-profit organization or trust, list the names of any person serving as director of the non-profit organization or as trustee or beneficiary or trustor of the trust.

Kenneth L. Sauder
President
Wakeland Housing and Development Corporation

4. Please identify every person, including any agents, employees, consultants, or independent contractors you have assigned to represent you before the City in this matter.

Kenneth L. Sauder
Barry Getzel
Rebecca Louie

Robert Henderson

5. Has any person* associated with this contract had any financial dealings with an official** of the City of Chula Vista as it relates to this contract within the past 12 months. Yes ___ No X

If Yes, briefly describe the nature of the financial interest the official** may have in this contract.

6. Have you made a contribution of more than \$250 within the past twelve (12) months to a current member of the Chula Vista City Council? No X Yes ___ If yes, which Council member?

7. Have you provided more than \$340 (or an item of equivalent value) to an official** of the City of Chula Vista in the past twelve (12) months? (This includes being a source of income, money to retire a legal debt, gift, loan, etc.)
Yes ___ No X

If Yes, which official** and what was the nature of item provided?

Date: December 11, 2006

Kenneth L. Sauder
Signature of Contractor/Applicant

Kenneth L. Sauder
Print or type name of Contractor/Applicant

* Person is defined as: any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, any other county, city, municipality, district, or other political subdivision, -or any other group or combination acting as a unit.

** Official includes, but is not limited to: Mayor, Council member, Planning Commissioner, Member of a board, commission, or committee of the City, employee, or staff members.

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APPLICATION APPENDIX C

Development Permit Processing Agreement

Permit Applicant: Wakeland Housing Development Corporation
Applicant's Address: 625 Broadway, Ste. 1000, San Diego, CA 92101
Type of Permit: Preliminary Environmental Review
Agreement Date: 12.11.06
Deposit Amount: \$4,000

This Agreement ("Agreement") between the City of Chula Vista, a chartered municipal corporation ("City") and the forenamed applicant for a development permit ("Applicant"), effective as of the Agreement Date set forth above, is made with reference to the following facts:

Whereas, Applicant has applied to the City for a permit of the type aforereferenced ("Permit") which the City has required to be obtained as a condition to permitting Applicant to develop a parcel of property; and,

Whereas, the City will incur expenses in order to process said permit through the various departments and before the various boards and commissions of the City ("Processing Services"); and,

Whereas the purpose of this agreement is to reimburse the City for all expenses it will incur in connection with providing the Processing Services;

Now, therefore, the parties do hereby agree, in exchange for the mutual promises herein contained, as follows:

1. Applicant's Duty to Pay.

Applicant shall pay all of City's expenses incurred in providing Processing Services related to Applicant's Permit, including all of City's direct and overhead costs related thereto. This duty of Applicant shall be referred to herein as "Applicant's Duty to Pay."

1.1. Applicant's Deposit Duty.

As partial performance of Applicant's Duty to Pay, Applicant shall deposit the amount aforereferenced ("Deposit").

- 1.1.1. City shall charge its lawful expenses incurred in providing Processing Services against Applicant's Deposit. If, after the conclusion of processing Applicant's Permit, any portion of the Deposit remains, City shall return said balance to Applicant without interest thereon. If, during the processing of Applicant's Permit, the amount of the Deposit becomes exhausted, or is imminently likely to become exhausted in the opinion of the City, upon notice of same by City, Applicant shall forthwith provide such additional deposit as City shall calculate as reasonably necessary to continue Processing Services. The duty of Applicant to initially deposit and to supplement said deposit as herein required shall be known as "Applicant's Deposit Duty".

2. City's Duty.

City shall, upon the condition that Applicant is no in breach of Applicant's Duty to Pay or Applicant's Deposit Duty, use good faith to provide processing services in relation to Applicant's Permit application.

- 2.1. City shall have no liability hereunder to Applicant for the failure to process Applicant's Permit application, or for failure to process Applicant's Permit within the time frame requested by Applicant or estimated by City.

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Development Permit Processing Agreement – Page 2

2.2. By execution of this agreement Applicant shall have no right to the Permit for which Applicant has applied. City shall use its discretion in valuating Applicant's Permit Application without regard to Applicant's promise to pay for the Processing Services, or the execution of the Agreement.

3. Remedies.

3.1. Suspension of Processing

In addition to all other rights and remedies which the City shall otherwise have at law or equity, the City has the right to suspend and/or withhold the processing of the Permit which is the subject matter of this Agreement, as well as the Permit which may be the subject matter of any other Permit which Applicant has before the City.

3.2. Civil Collection

In addition to all other rights and remedies which the City shall otherwise have at law or equity, the City has the right to collect all sums which are or may become due hereunder by civil action, and upon instituting litigation to collect same, the prevailing party shall be entitled to reasonable attorney's fees and costs.

4. Miscellaneous.

4.1 Notices.

All notices, demands or requests provided for or permitted to be given pursuant to this Agreement must be in writing. All notices, demands and requests to be sent to any party shall be deemed to have been properly given or served if personally served or deposited in the United States mail, addressed to such party, postage prepaid, registered or certified, with return receipt requested at the addresses identified adjacent to the signatures of the parties represented.

4.2 Governing Law/Venue.

This Agreement shall be governed by and construed in accordance with the laws of the State of California. Any action arising under or relating to this Agreement shall be brought only in the federal or state courts located in San Diego County, State of California, and if applicable, the City of Chula Vista, or as close thereto as possible. Venue for this Agreement, and performance hereunder, shall be the City of Chula Vista.

4.3. Multiple Signatories.

If there are multiple signatories to this agreement on behalf of Applicant, each of such signatories shall be jointly and severally liable for the performance of Applicant's duties herein set forth.

4.4. Signatory Authority.

This signatory to this agreement hereby warrants and represents that he is the duly designated agent for the Applicant and has been duly authorized by the Applicant to execute this Agreement on behalf of the Applicant. Signatory shall be personally liable for Applicant's Duty to Pay and Applicant's Duty to Deposit in the event he has not been authorized to execute this Agreement by Applicant.

4.5 Hold Harmless.

Applicant shall defend, indemnify and hold harmless the City, its elected and appointed officers and employees, from and against any claims, suits, actions or proceedings, judicial or administrative, for writs, orders, injunction or other relief, damages, liability, cost and expense (including without limitation attorneys' fees) arising out of City's actions in processing or issuing Applicant's Permit, or in exercising any discretion related thereto including but not limited to the giving of proper environmental review, the holding of public hearings, the extension of due process rights, except only for those claims, suits, actions or proceedings arising from the sole negligence or sole willful conduct of the City, its officers, or employees known to, but not objected to, by the Applicant. Applicant's indemnification shall include any and all costs, expenses, attorney's fees and liability incurred by the City, its officers, agents, or employees in defending against such claims, whether the same proceed to judgement or not. Further, Applicant, at its own expense, shall, upon written request by the City, defend any such suit or action brought against the City, its officers, agents, or employees. Applicant's indemnification of City shall not be limited by any prior or subsequent declaration by the

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Development Permit Processing Agreement – Page 3

Applicant. At its sole discretion, the City may participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of any obligation imposed by this condition.

4.6 Administrative Claims Requirements and Procedures.

No suit or arbitration shall be brought arising out of this agreement against the City unless a claim has first been presented in writing and filed with the City of Chula Vista and acted upon by the City of Chula Vista in accordance with the procedures set forth in Chapter 1.34 of the Chula Vista Municipal Code, as same may from time to time be amended, the provisions of which are incorporated by this reference as if fully set forth herein, and such policies and procedures used by the City in the implementation of same. Upon request by City, Consultant shall meet and confer in good faith with City for the purpose of resolving any dispute over the terms of this Agreement.

Now therefore, the parties hereto, having read and understood the terms and conditions of this agreement, do hereby express their consent to the terms hereof by setting their hand hereto on the date set forth adjacent thereto.

Dated: _____ City of Chula Vista
276 Fourth Avenue
Chula Vista, CA

By: _____

Dated: 12.11.06 Wakeland Housing Development Corporation
1025 Broadway, Ste. 1000
SAN DIEGO, CA 92101

By: Kenneth L. Souder
Kenneth L. Souder

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Mitigated Negative Declaration _____

ATTACHMENT 4

PROJECT NAME: Los Vecinos
PROJECT LOCATION: 1501 Broadway
ASSESSOR'S PARCEL NO.: 622-092-0500
PROJECT APPLICANT: Los Vecinos - Wakeland Housing/Development Corporation
CASE NO.: IS-07-017
DATE OF DRAFT DOCUMENT: April 16, 2007
DATE OF FINAL DOCUMENT: May 16, 2007
DATE OF CVRC MEETING: June 14, 2007

Revisions made to this document subsequent to the issuance of the notice of availability of the draft Mitigated Negative Declaration are denoted by underline.

A. Project Setting

The project site is 1.5-acres in size and consists of one parcel. The site is located at 1501 Broadway, between Orange Avenue and Anita Street. The site is within the Montgomery Specific Plan area of the City of Chula Vista (see Exhibit A - Locator Map). The project site is relatively level and has been previously mass graded. The site is developed with the existing vacant Tower Lodge Motel including parking lot, paved driveways, parking areas, and swimming pool. A sewer lift station with a holding tank is located on the northeastern portion of the site. On-site vegetation includes ornamental trees, palm trees, grass, and shrubs (see Exhibit B-Existing Site Plan). The land uses immediately surrounding the project site are as follows:

North: Storage Facility
South: Multifamily Residential/Condominiums
East: Mobile Home Park
West: Auto Repair Business and Multifamily Residential/Condominiums

B. Project Description

The project proposal consists of an affordable 42 unit multi-family residential development including a community center for use by project residents. The proposal includes a density bonus request pursuant to California State Law (Government Code 65915). The proposed multi-family residential units would be contained within one three-story building. Patios and balconies are proposed adjacent to Broadway and at the northwest and southwest corners of the project site. Onsite improvements include landscaping, perimeter masonry walls and fencing, retaining walls, community patio and barbeque area, tot lot, recreational turf area, small recreational courts, security lighting, paved ground level parking lot and other amenities.

Proposed site improvements include new driveways and sidewalks, emergency fire lane and services, private interior roads, storm drain facilities/filtration systems, water service extensions, sewer facility improvements, underground existing utilities, retaining walls, open space sitting areas, landscaped treatments, trash enclosure, tot lot, security lighting and other amenities. The proposed open space area includes some balconies and ground level patios.

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A total of 68 parking spaces would be provided onsite; four spaces less than the required City Parking Code requirement. Please refer to the Traffic Section below for details regarding parking and Density Bonus/State Law allowances.

C. Compliance with Zoning and Plans

The project site is designated CTP (Commercial Thoroughfare/Precise Plan) Zoning and MUR (Mixed-Use Residential). Project permitting includes Rezone (to convert CT to R3) by the Planning Commission, Design Review by the CVRC, and a Density Bonus by the Redevelopment Agency/City Council.

D. Public Comments

On April 2, 2007, a Notice of Initial Study was circulated to property owners within a 500-foot radius of the proposed project site. The public review period ended April 11, 2007. No public comments were received during this time period.

On April 16, 2007 a Notice of Availability of the Proposed Mitigated Negative Declaration for the project was posted in the County Clerk's Office and circulated to property owners within a 500-foot radius of the project site. The 30-day public comment period closed on May 16, 2007. No written public comments were received during the public review period.

E. Identification of Environmental Effects

An Initial Study conducted by the City of Chula Vista (including an attached Environmental Checklist form) determined that the proposed project may have potentially significant environmental impacts, however, mitigation measures have been incorporated into the project to reduce these impacts to a less than significant level. This Mitigated Negative Declaration has been prepared in accordance with Section 15070 of the State of California Environmental Quality Act (CEQA) Guidelines.

Air Quality

To assess potential air quality impacts of the project, an *Air Quality Analysis for the Los Vecinos project, April 11, 2007*, was prepared by Eilar and Associates, Inc. The emission factors and threshold criteria contained in the South Coast Air Quality Management District Guidelines/Thresholds for Air Quality Analysis and the current URBEMIS were utilized in the air quality analysis. The addition of emissions to an air basin is considered under CEQA to be a significant impact. Due to demolition and construction activities, minimal grading and a previously developed site, the proposed project is anticipated to create only short term impacts as summarized below.

Construction Activity Impacts

It is anticipated that based on the project's emission factors and proposed construction activities the proposed project will exceed the SCAQMD's daily threshold emission levels. Air quality impacts resulting from construction-related operations are considered short-term in duration since construction-related activities are a relatively short-term activity. The proposed project would result in short-term air quality impacts directly related to demolition/cleanup, grading and construction activities associated with the project. Worker and equipment vehicle trips would create temporary emissions of dust, fumes, equipment exhaust, spillover and other air pollutants associated with the grading/construction and cleanup activities. Exhaust emissions would result from on and off site

heavy equipment. Dust control and emission controls are recommended for off-road construction equipment as well. As a mitigation requirement, construction equipment exceeding 100 brake-horsepower must meet Tier 3 emission limits during all grading phases of the project construction. All project emissions are anticipated to be at or below the standard thresholds. Implementation of the Air Quality Mitigation Measure No. 1 contained in Section F below would mitigate short-term construction-related air quality impacts to below a level of significance. These measures are included as a part of the Mitigation Monitoring and Reporting Program.

Project Operational/Long Term Impacts

The proposed project once developed would not result in significant long-term local or regional air quality impacts. The project would result in a net decrease in vehicle trips. According to the project traffic study, the previous motel use generated 324 daily trips and the project would result in 252 daily trips. No area source or operational vehicle emission estimates will exceed the Air Quality significance thresholds, nor create long-term air quality impacts.

Geology and Soils

To assess potential geological and soils impacts of the project, a *Preliminary Geological Investigation for Proposed Residential Development, 1501 Broadway, Chula Vista, California, October 17, 2006*, was prepared by Leighton and Associates, Inc. The results of this analysis are summarized below.

The project site is not located in an active Earthquake Fault Zone as created by the Alquist-Priolo Act and associated Fault-Rupture Hazard Zones. The nearest active fault is the Rose Canyon fault approximately 5 miles away. No known significant or suspected seismic hazards associated with the project site have been identified. Any development must be constructed in accordance with the California Building Code or state-of-the art seismic design parameters of the Structural Engineers Association of California. No significant seismic related impacts are anticipated as a result of the proposed project.

Liquefaction/Subsurface Conditions

Liquefaction and settlement of soils is characterized by a loss of shear strength to the affected soil layers, causing the soil to act as a viscous liquid not capable of supporting structures or creating instability. Based upon the subsurface explorations, overall liquefaction hazards to the project site are considered low and no significant impacts are created.

According to the study based upon subsurface conditions, the topsoil and near surface soils were previously disturbed by the existing site conditions and proposed demolition of the existing motel buildings, were considered inadequate for supporting the fill or additional structural loads associated with the proposed project buildings. During site grading this impacted soil area should be removed within the building pads and pavement areas. In addition, any onsite soils that are to be used for compacted fill must be free of any organic materials, debris or large rock fragments.

A final soils report is required to be prepared to satisfaction of the City Engineer, prior to the issuance of grading and construction permits. Erosion control measures will be identified in conjunction with the preparation of the grading plans and implemented during the construction phase. Through project design as recommended in the Preliminary Geotechnical Investigation, and the mitigation measures contained in Section F below, potential geological impacts would be mitigated to a level of less than significance. These measures are included as a part of the Mitigation Measure Monitoring and Reporting Program.

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Hazards/Hazardous Materials

In order to assess potential hazardous materials impacts, a Phase I Environmental Site Assessment report was prepared by Leighton and Associates, Inc., on August 1, 2006, and addendum dated March 2007 for the project site. Please refer to the following summary below.

Phase I Environmental Site Assessment

According to the Phase I, based upon historical records the project site has been developed with a motel/motor lodge from approximately 1949 to the present. The site contains the motel, parking lot, swimming pool, office and landscaped treatments. The motel is currently vacant and non-operational. The proposed project includes the demolition of the motel and associated improvements, refer to Lead/Asbestos Section.

On-site Investigation

On July 7, 2006 a site investigation and soil samplings were conducted. The soil samplings were collected between the sewer lift station and motel to assess any contamination due to sewage spills reported by the City of Chula Vista. The soil samples were analyzed for contamination. In the event of contamination within the soil, the same threshold level is used for soil as for groundwater as was in this case. No fecal coliforms exceeded the reporting unit threshold levels of the Regional Water Quality Control Board (RWQCB) groundwater discharge requirements. No other environmental concerns including staining, Underground Storage Tanks (USTs), Aboveground Storage Tanks (ASTs), undocumented fill or waste dumping were observed or reported during the site observation.

Off-site

In accordance with standard assessment procedures, regional database listings of hazardous wastes and materials sites within the project site were reviewed. Based upon Leaking Underground Storage Tanks (LUST) cases, three LUST cases at two locations were identified within ¼ mile of the site. Two cases have been closed and one active case remains and is currently underway or pending closure as regulated by the regional agencies; County of San Diego Department of Environmental Health Services (DEHS) and the Regional Water Quality Control Board (RWQCB). However, due to the fact that this location is located at a lower level than the project site, no potential for significant hazardous impacts is anticipated.

Asbestos and lead-based paint

The existing motel lodge, office and associated improvements are proposed for demolition and may contain asbestos and lead-based paint which is a potentially significant health hazard. Prior to any demolition activities the presence of asbestos and lead-based paint must be ascertained and removed if present by a licensed, registered, asbestos and lead abatement contractor in accordance with all applicable local, state and federal laws and regulations, including San Diego County Air Pollution Control District Rule 361.145, Standard for Demolition and Renovation.

The mitigation measures contained in Section F below would mitigate potential hazards/hazardous materials impacts to a level of less than significance. These measures are included as a part of the Mitigation Monitoring and Reporting Program.

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Hydrology and Water Quality

In order to assess potential drainage impacts of the project, a *Preliminary Drainage Study for Los Vecinos, Chula Vista, California*, dated March 14, 2007 and addendum dated April 2007, was prepared by Lintvedt, McColl & Associates. The study methodology is based upon the City of Chula Vista Subdivision Manual, Drainage Design Section and County of San Diego Hydrology manual. The purpose of the study included the analysis of the year floods up to the 100-year flows for both pre and post development conditions, analysis and identifying any potential significant impacts. Upon construction development and associated site improvements, there will be a slight increase of impervious area; 1.03 acres or 79% of the site. However, based upon project design, project conditions or measures, and existing developed land conditions there are no significant drainage concerns or significant changes to downstream flows anticipated.

Existing Conditions and Drainage Improvements

The project site currently drains west towards Broadway into an existing storm drain inlet (24" pipe) that flows north along Broadway.

Proposed Drainage Improvements

Based upon review of the preliminary drainage study, the Engineering Department has determined that through project design and conditions there are no significant issues or impacts regarding the proposed drainage improvements.

The drainage analysis results verify that the project does not adversely impact the existing City storm drain facilities. The proposed drainage improvements are designed to collect on-site drainage and convey it towards the existing storm drain system along Broadway. The new storm drain features include a storm drain connection consisting of an 18-inch pipe, gutter flows throughout the parking areas, roof drain outlets, vegetated swales, new and replacement of impervious landscaped areas prior to proper filtration systems.

During construction, implementation of comprehensive Best Management Practices will control construction-related erosion and sediment. Site Design BMPs focus on the use of landscaped areas as part of the drainage system and shall detain and filtrate runoff to the maximum extent. A detailed summary of the construction BMPs will be included with the required preparation of the Storm Water Pollution Prevention Plan (SWPPP).

As a standard condition, a final drainage study will be required in conjunction with the preparation of the project grading plans. The proposed drainage improvements as described above would improve the overall on-site drainage system and accommodate the proposed project. The drainage facilities shall be installed at the time of the site development to the satisfaction of the City Engineer.

Water Quality

In order to assess potential water quality impacts created by the proposed project, a Water Quality Technical Report was prepared by Lintvedt, McColl & Associates dated March 13, 2007 and addendum dated April 2007. The study also includes analysis to verify that post-construction runoff volumes have been maintained at the pre-construction volume levels. The applicant/developer will be required to implement post-construction Best Management Practices (BMPs) to the maximum extent practicable, including the use of high pollutant removal efficiency treatment BMPs. The City of Chula Vista SUSMP requires a combination of site design, source control, and treatment control BMPs. Site design BMPs will include landscaped treatment within the project areas, increased

building density, rooftop runoff onto pervious landscaped areas, runoff directed away from top of slopes and all slopes landscaped to avoid erosion and natural vegetated swales.

The applicant will be required to comply with all requirements of the State Water Resources Control Board (SWRCB), City of Chula Vista's Storm Water Management Manual and implement Best Management Practices (BMPs) to prevent pollution of the storm water systems during and after construction. A Storm Water Pollution Prevention Plan (SWPPP) will be developed and implemented concurrently with the grading of the project site. The applicant will also be required to comply with the NPDES Municipal Permit, Order No. R9-2007-0001 and other permit requirements, identify potential storm water pollutants as well as proposed BMPs that will be used for treatment, and submit a water quality study with submittal of final grading/improvement plans to the satisfaction of the City Engineer. Storm or non-storm water from such designated area shall not be discharged into City storm drainage systems but disposed of in accordance with Federal, State, and Local laws and regulations.

The mitigation measures contained in Section F below would mitigate potential hydrology/water impacts to below a level of significance. These measures are included as a part of the Mitigation Monitoring and Reporting Program.

Noise

A noise study was prepared by Kimley-Horn and Associates, Inc., *Exterior Noise Analysis Report*, dated April 11, 2007, to assess potential noise impacts of the proposed project. The noise assessment analyzed the project with respect to the regulations contained in the Chula Vista Municipal Code (noise control ordinance). A copy of the noise study is available for review at the Planning and Building Department.

Existing Conditions

The project site is currently vacant and surrounded by residential and commercial land uses. The project site frontage is along Broadway, between Orange Avenue and Anita Street. The existing noise is primarily generated by traffic that travels along Broadway. Broadway has an existing average daily traffic (ADT) volume of 18,400 vehicles (SANDAG 2007). One-hour sound level measurements were conducted during the afternoon peak hour traffic period to identify the existing noise levels created by the vehicle traffic. The posted speed for Broadway is 35 miles per hour, a four-lane major roadway according to the General Plan update.

Existing Plus Project Conditions

The noise generators (traffic) will remain the same, as the proposed project is a residential use similar to the existing motel land use. Future ADT volume was calculated out to be approximately 27,500 vehicles (City of Chula Vista).

The future traffic noise will have a maximum noise level of 72 dBA CNEL at the proposed building facades, including the patios/balconies facing west towards Broadway. All remaining patios/balconies facing north and south will range from 67 to 61 dBA and those patios/balconies within the interior courtyards range from 37-33 dBA. The City's dBA CNEL exterior noise requirement for residential land use is 65 dBA CNEL. The patios/balconies located along the frontage of Broadway facing west, and those few units facing northwest and southwest corners with levels above 65dBA, as identified in the noise study, will be impacted by the future traffic noise levels. Any balconies or patio areas that are to be counted towards required open space will require mitigation. The mitigation recommended is a six-foot sound attenuation barrier along the perimeter of the patio. The wall barrier would be solid in construction with no holes or gaps. In order to maintain a view, the barrier may include glass

or plexiglass with a minimum density of 3.5 lbs./foot². The mitigation measures contained in Section F below would mitigate future exterior traffic noise impacts to the patios adjacent to Broadway and any other balconies that are counted toward the required open space for the project.

An interior noise analysis evaluating proposed exterior wall construction, windows and doors would be required once final building design plans are completed to ensure that the interior noise levels meet the California Code of Regulations, Title 24: Noise Insulation Standard of 45 dBA CNEL or less. Should the interior noise analysis determine that interior noise thresholds can only be met with windows being closed, then the building plans will have to call out mechanical ventilation for impacted units. The mitigation measures contained in Section F below would mitigate potential interior noise impacts to below a level of significance. These measures are included as a part of the Mitigation Monitoring and Reporting Program.

Short-Term Construction Noise

Pursuant to Section 17.2.050(J) of the Chula Vista Municipal Code, construction work (including demolition) in residential zones that generates noise disturbing to persons residing or working in the vicinity is not permitted between 10:00 p.m. and 7:00 a.m. Monday through Friday and between 10:00 p.m. and 8:00 a.m. Saturday and Sunday, except when necessary for emergency repairs required for the health and safety of any member of the community. Due to the presence of the adjacent multi-family residential development and mobile home park, this provision of the Municipal Code applies to the project and would ensure that the residents and occupants would not be disturbed by construction noise during the most noise sensitive periods of the day.

Outdoor/Rooftop Mechanical Equipment Noise

Heating, ventilation and air conditioning (HVAC) equipment is proposed on the rooftops of the residential building units. The noise generated by the HVAC equipment would vary depending on the type and size of the mechanical equipment. Based upon the preliminary mechanical plans and lack of complete noise assessment due to unavailability of final rooftop mechanical plans, the study concluded that noise generated from the HVAC could exceed the City's noise standard. Noise impacts related to the outdoor mechanical equipment are considered significant. Therefore, an additional acoustical study will be required to ensure that the multiple floor interior noise levels of the residential use would not exceed the 45 Leq standard. The mitigation measures contained in Section F below have been included to mitigate HVAC/or rooftop mechanical equipment noise impacts to below a level of significance.

F. Mitigation Necessary to Avoid Significant Impacts

Air Quality

1. The following air quality construction mitigation requirements shall be shown on all applicable grading, and building plans as details, notes, or as otherwise appropriate, and shall not be deviated from unless approved in advance in writing by the City's Environmental Review Coordinator. The City mitigation measure monitor will ensure compliance of the following:
 - Minimize simultaneous operation of multiple construction equipment units.
 - Use low pollutant-emitting construction equipment.
 - Use electrical construction equipment as practical.
 - Use catalytic reduction for gasoline-powered equipment.
 - Use injection-timing retard for diesel-powered equipment.

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- Water the construction area twice daily to minimize fugitive dust.
- Stabilize graded areas as quickly as possible to minimize fugitive dust.
- Pave permanent roads as quickly as possible to minimize dust.
- Use electricity from power poles instead of temporary generators during building, if available.
- Apply stabilizer or pave the last 100 feet of internal travel path within a construction site prior to public road entry.
- Install wheel washers adjacent to a paved apron prior to vehicle entry on public roads.
- Remove any visible track-out into traveled public streets within 30 minutes of occurrence.
- Wet wash the construction access point at the end of each workday if any vehicle travel on unpaved surfaces has occurred.
- Provide sufficient perimeter erosion control to prevent washout of silty material onto public roads.
- Cover haul trucks or maintain at least 12 inches of freeboard to reduce blow-off during hauling; and
- Suspend all soil disturbance and travel on unpaved surfaces if winds exceed 25 miles per hour.
- Restrict the type of architectural coatings to only compounds with low reactive off-gas characteristics, such as SCAQMD "clean air" or "super compliant" low VOC paint and/or stucco.

Geology and Soils

2. Prior to the issuance of construction permits, the applicant shall provide evidence to the City Engineer and the City Environmental Review Coordinator that all the recommendations in the *Preliminary Geological Investigation*, dated October 17, 2006 have been satisfied.
3. Prior to the issuance of grading permits a final soils report shall be prepared to satisfaction of the City Engineer.

Hazards and Hazardous Materials

4. During any demolition activities, a licensed and registered asbestos and lead abatement contractor shall perform asbestos and lead-based paint abatement in accordance with all applicable local, state and federal laws and regulations, including San Diego County Air Pollution Control District Rule 361.145 – Standard for Demolition and Renovation.

Hydrology and Water Quality

5. Prior to the issuance of a grading permit, a final drainage study shall be required in conjunction with the preparation of final grading plans. The City Engineer shall verify that the final grading plans comply with the provisions of California Regional Water Quality Control Board, San Diego Region Order No. 2001-01 with respect to construction-related water quality best management practices. If one or more of the approved post-construction BMPs is non-structural, then a post-construction BMP plan shall be prepared to the satisfaction of the City Engineer prior to the commencement of construction. Compliance with said plan shall become a permanent requirement of the Mitigation Monitoring and Reporting Program.
6. Prior to issuance of a grading permit, including clearing and grubbing activities, temporary desilting and erosion control devices shall be installed. Protective devices, as determined by the City Engineer, will be provided at every storm drain inlet to prevent sediment from entering the

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storm drain system. These measures shall be reflected in the grading and improvement plans to the satisfaction of the City Engineer and Environmental Review Coordinator.

Noise

7. Prior to the issuance of building permits, construction plans shall be submitted that depict a six-foot sound attenuation barrier along the perimeter of the patios/balconies that are to be counted toward the required open space for the project. The wall barrier shall be solid in construction with no holes or gaps. In order to maintain a view, the barrier may include glass or plexiglass with a minimum density of 3.5 lbs./foot².
8. Prior to the issuance of building permits, an interior noise analysis evaluating proposed exterior wall construction, windows and doors shall be completed in order to ensure that the interior noise levels meet the California Code of Regulations, Title 24 Noise Insulation Standard of 45 dBA CNEL or less. If the Title 24 noise analysis indicates that windows must be closed in order to achieve interior noise levels of less than 45 dBA CNEL, construction drawings must include a mechanical ventilation system that meets UBC requirements to provide a habitable interior environment with windows closed in impacted units.
9. Pursuant to Section 17.24.050(J) of the Chula Vista Municipal Code, project-related grading or construction activities shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m. Monday through Friday and between 10:00 p.m. and 8:00 a.m. Saturdays and Sundays.
10. All construction equipment shall operate and be maintained to minimize noise generation. Equipment and construction vehicles shall be kept in good repair and fitted with "manufacturer-recommended" mufflers.
11. Prior to approval of building permits, the applicant shall submit a subsequent noise study to the satisfaction of the Environmental Review Coordinator demonstrating that the final roof-mounted HVAC and other roof mounted equipment complies with the City's noise control ordinance at the property boundaries of 45 dBA Leq (one hour) during nighttime hours and 55 dBA Leq (one hour) during daytime hours or ambient noise levels, whichever is greater.
12. All rooftop pumps, fans, and air conditioners/heating units on the project buildings shall include appropriate noise abatement and be screened by a minimum three-foot high rooftop parapet that blocks the line-of-site view from nearby residential properties to the exposed roof and mechanical ventilation systems.

G. Agreement to Implement Mitigation Measures

By signing the line(s) provided below, the Applicant and Operator stipulate that they have each read, understood and have their respective company's authority to and do agree to the mitigation measures contained within Mitigated Negative Declaration IS-07-017, and will implement same to the satisfaction of the Environmental Review Coordinator. Failure to sign the line(s) provided below prior to posting of this Mitigated Negative Declaration with the County Clerk shall indicate the Applicant's and Operator's desire that the Project be held in abeyance without approval and that the Applicant and Operator shall apply for an Environmental Impact Report.

Rebecca Louie, Project manager

Printed Name and Title of Applicant
(or authorized representative)

4-16-07
Date

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R. L. L., Project Manager
Signature of Applicant
(or authorized representative)

4.16.07
Date

N/A
Printed Name and Title of Operator
(if different from Applicant)

Date

N/A
Signature of Operator
(if different from Applicant)

Date

H. Consultation

1. Individuals and Organizations

City of Chula Vista:

Steve Power, Planning and Building Department
Luis Hernandez, Planning and Building Department
Garry Williams, Planning and Building Department
Miguel Tapia, Community Development
Jose Dorado, Community Development
Mandy Mills, Housing
Sarah Johnson, Housing
Silvester Evetovich, Engineering Division
Jim Newton, Engineering Division
Frank Rivera, Engineering Division
David Kaplan, Engineering Division
Ben Herrera, Engineering Division
Hasib Baha, Engineering Division
Khosro Aminpour, Engineering Division
Rima Thomas, Engineering Division
Michael Maston, Engineering Division
Gary Edmunds, Fire Department
Justin Gipson, Fire Department
Lynn France, Conservation and Environmental Services Department

Others:

Dee Peralta, Chula Vista Elementary School District
Sweetwater Authority

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2. Documents

City of Chula Vista General Plan Update, 2005.

Final Environmental Impact Report, City of Chula Vista General Plan Update, EIR No. 05-01, December 2005.

City of Chula Vista MSCP Subarea Plan, February 2003.

Final Air Quality Report – Los Vecinos, 1501 Broadway, Chula Vista CA, dated April 13, 2007

Preliminary Geological Investigation for 1501 Broadway, Chula Vista, CA dated October 17, 2006 (Leighton and Associates, Inc.)

Phase I Environmental Site Assessment for Los Vecinos, Chula Vista, CA dated August 1, 2006 and addendum dated April 3, 2007 (Leighton and Associates, Inc.).

Preliminary Drainage Study for Los Vecinos, Chula Vista CA dated March 14, 2007 and addendum dated April 2007 (Lintvedt, McColl and Associates, Inc.).

Preliminary Water Quality Report for Los Vecinos, Chula Vista CA dated March 13, 2007 and addendum dated April 2007 (Lintvedt, McColl and Associates, Inc.).

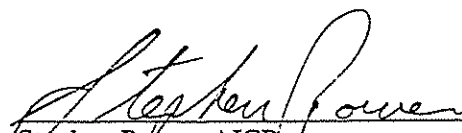
Preliminary Sewer Study for Los Vecinos, Chula Vista CA dated March 19, 2007 (Lintvedt, McColl and Associates, Inc.).

Noise Study for Los Vecinos, Chula Vista, CA dated February 28, 2007 and addendum dated April 2007 (Kimley-Horn and Associates, Inc.).

Traffic Site Access Analysis for Los Vecinos, Chula Vista CA dated February 8, 2007 (Kimley-Horn and Associates, Inc.).

3. Initial Study

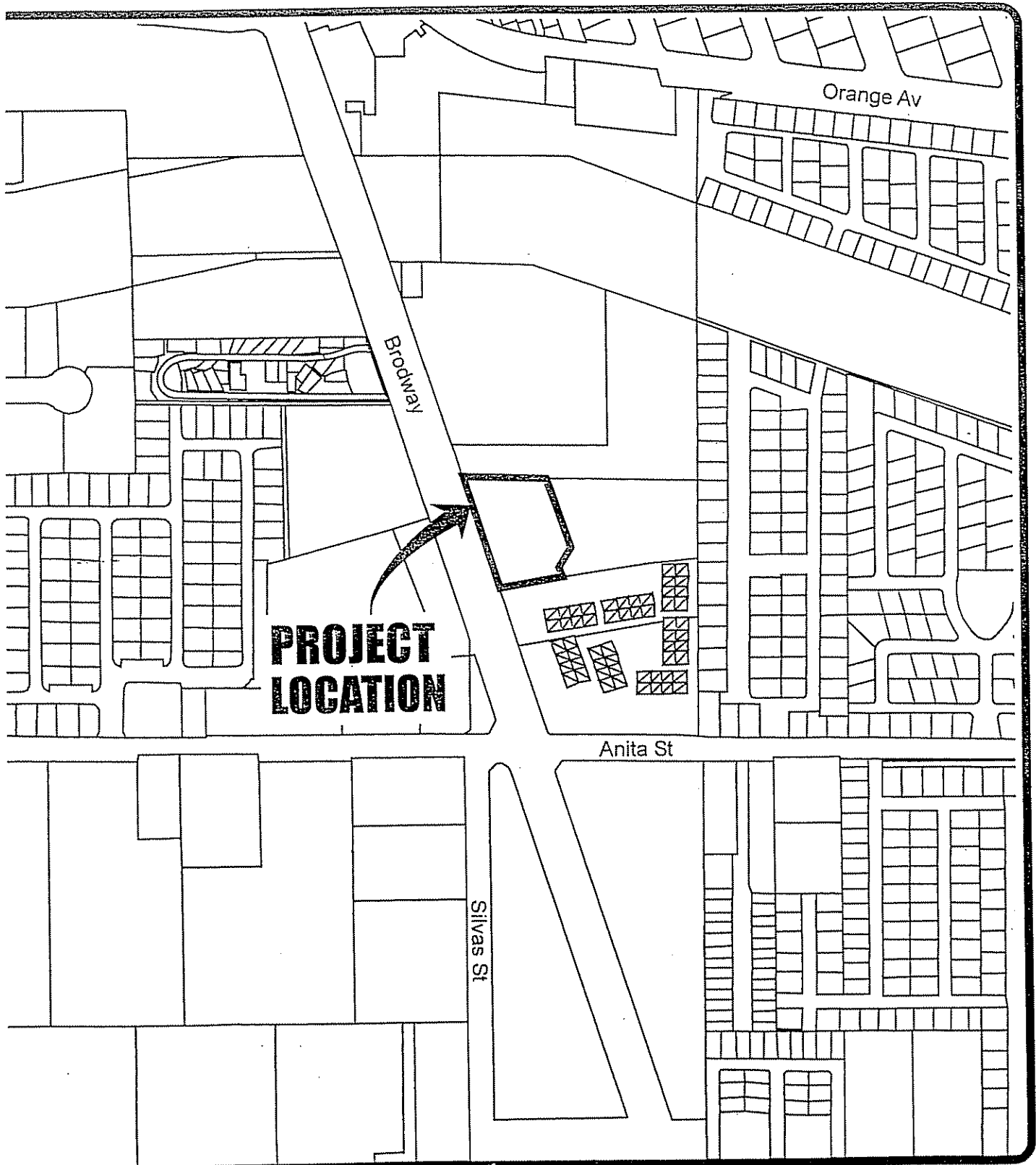
This environmental determination is based on the attached Initial Study, and any comments received in response to the Notice of Initial Study. The report reflects the independent judgment of the City of Chula Vista. Further information regarding the environmental review of this project is available from the Chula Vista Planning and Building Department, 276 Fourth Avenue, Chula Vista, CA 91910.



Stephen Power, AICP
Environmental Projects Manager

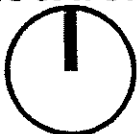
Date:

5/16/07



CHULA VISTA PLANNING AND BUILDING DEPARTMENT

LOCATOR



NORTH

PROJECT APPLICANT: Wakeland Housing & Development Corp.

PROJECT ADDRESS: 1501 Broadway 2-44

SCALE: No Scale

FILE NUMBER: IS-07-017

PROJECT DESCRIPTION:

INITIAL STUDY

Project Summary: Proposed: 42-units of affordable, multifamily rental housing with a community center for residents.

Related cases: PCZ-07-06, DRC-07-27 & PCC-07-037

ATTACHMENT "A"

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP) LOS VECINOS – IS-07-017

This Mitigation Monitoring and Reporting Program has been prepared by the City of Chula Vista in conjunction with the proposed Los Vecinos project. The proposed project has been evaluated in an Initial Study/Mitigated Negative Declaration prepared in accordance with the California Environmental Quality Act (CEQA) and City/State CEQA Guidelines (IS-07-017). The legislation requires public agencies to ensure that adequate mitigation measures are implemented and monitored for Mitigated Negative Declarations.

AB 3180 requires monitoring of potentially significant and/or significant environmental impacts. The Mitigation Monitoring and Reporting Program for this project ensures adequate implementation of mitigation for the following potential impacts(s):

1. Air Quality
2. Geology and Soils
3. Hazards/Hazardous Materials
4. Hydrology and Water Quality
5. Noise
6. Transportation/Traffic
7. Mandatory Findings of Significance

MONITORING PROGRAM

Due to the nature of the environmental issues identified, the Mitigation Compliance Coordinators shall be the Environmental Review Coordinator and City Engineer of the City of Chula Vista. The applicant shall be responsible to ensure that the conditions of the Mitigation Monitoring and Reporting Program are met to the satisfaction of the Environmental Review Coordinator and City Engineer. The applicant shall provide evidence in written form confirming compliance with the mitigation measures specified in Mitigated Negative Declaration IS-07-017 to the Environmental Review Coordinator and City Engineer. The Environmental Review Coordinator and City Engineer will thus provide the ultimate verification that the mitigation measures have been accomplished.

Table 1, Mitigation Monitoring and Reporting Program Checklist, lists the mitigation measures contained in Section F, Mitigation Necessary to Avoid Significant Effects, of Mitigated Negative Declaration IS-07-017, which will be implemented as part of the project. In order to determine if the applicant has implemented the measure, the method and timing of verification are identified, along with the City department or agency responsible for monitoring/verifying that the applicant has completed each mitigation measure. Space for the signature of the verifying person and the date of inspection is provided in the last column.

Table 1

MITIGATION MONITORING AND REPORTING PROGRAM									
Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification			Responsible Party	Completed Initials	Completed Date	Comments
AIR QUALITY			T.M.	Pre Const.	During Const.	Post Const.			

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Table 1

1.	<p>The following air quality mitigation requirements shall be shown on all applicable grading, and building plans as details, notes, or as otherwise appropriate:</p> <ul style="list-style-type: none"> Minimize simultaneous operation of multiple construction equipment units. Use low pollutant-emitting construction equipment. Use electrical construction equipment as practical. Use catalytic reduction for gasoline-powered equipment. Use injection-limiting retard for diesel-powered equipment. Water the construction area twice daily to minimize fugitive dust. Stabilize graded areas as quickly as possible to minimize fugitive dust. Pave permanent roads as quickly as possible to minimize dust. Use electricity from power poles instead of temporary generators during building, if available. Apply stabilizer or pave the last 100 feet of internal travel path within a construction site prior to public road entry. Install wheel washers adjacent to a paved apron prior to vehicle entry on public roads. Remove any visible track-out into traveled public streets within 30 minutes of occurrence. Wet wash the construction access point at the end of each workday if any vehicle travel on unpaved surfaces has occurred. Provide sufficient perimeter erosion control to prevent washout of silty material onto public roads. Cover haul trucks or maintain at least 12 inches of freeboard to reduce blow-off during hauling. Suspend all soil disturbance and travel on unpaved surfaces if winds exceed 25 miles per hour. Restrict the type of architectural coatings to only compounds with low reactive off-gas characteristics, such as SCAQMD "clean air" or "super compliant" low VOC paint and/or stucco. 	Plan Check/Site Inspection	X	X	X	X	Applicant/ City Engineering Department/City Planning and Building Department			
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Table 1

		Plan Check/Site Inspection	Pre-Const. T.M.	Pre-Const.	During Const.	Post-Const.	Applicant/City Planning and Building Department/City Engineering Department			
2.	GEO/TECHNICAL Prior to issuance of construction permits, the applicant shall provide evidence to the City Engineer and the City Environmental Review Coordinator that all the recommendations in the <i>Preliminary Geological Investigation</i> , dated October 17, 2006 have been satisfied. Prior to the issuance of grading permits a final soils report shall be prepared to the satisfaction of the City Engineer.	Plan Check/Site Inspection	X	X	X	X	Applicant/City Planning and Building Department/City Engineering Department			
3.		Plan Check/Site Inspection	X	X	X	X	Applicant/City Planning and Building Department/City Engineering Department			
4.	HAZARDS/HAZARDOUS MATERIALS During any demolition activities, a licensed and registered asbestos and lead abatement contractor shall perform asbestos and lead-based paint abatement in accordance with all applicable local, state and federal laws and regulations, including San Diego County Air Pollution Control District Rule 361.145 – Standard for Demolition and Renovation.	Plan Check/Site Inspection	X	X	X	X	Applicant/City Planning and Building Department/City Engineering Department			
5.	HYDROLOGY AND WATER QUALITY Prior to the issuance of a grading permit, a final drainage study shall be required in conjunction with the preparation of the final grading plans. The City Engineer shall verify that the final grading plans comply with the provisions of California Regional Water Quality Control Board, San Diego Region Order No. 2001-01 with respect to construction-related water quality best management practices (BMPs). If one or more of the approved post construction BMPs is non-structural, then a post-construction BMP plan shall be prepared to the satisfaction of the City Engineer prior to the commencement of construction. Compliance with said plan shall become a permanent requirement of the Mitigation Monitoring and Reporting Program.	Plan Check/Site Inspection	X	X	X	X	Applicant/City Planning and Building Department/City Engineering Department			
6.	Prior to the issuance of a grading permit, including clearing and grubbing activities, temporary desilting and erosion control devices shall be installed. Protectives devices, as determined by the City Engineer, will be provided at every storm drain inlet to prevent sediment from entering the storm drain system. These measures shall be reflected in the grading and improvement plans to the satisfaction of the City Engineer and Environmental Review Coordinator.	Plan Check/Site Inspection	X	X	X	X	Applicant/City Planning and Building Department/City Engineering Department			

Table 1

	NOISE	Plan Check/Site Inspection	T.M.	Pre-Const.	During Const.	Post-Const.	Applicant/City Planning and Building Department/City Engineering Department			
7.	Prior to the issuance of building permits, construction plans shall be submitted that depict a six-foot sound attenuation barrier along the perimeter of the patios/balconies that are to be counted toward the required open space for the project. The wall barrier shall be solid in construction with no holes or gaps. In order to maintain a view, the barrier may include glass or plexiglass with a minimum density of 3.5 lbs./foot ² .	Plan Check/Site Inspection	X	X	X	X	Applicant/City Planning and Building Department/City Engineering Department			
8.	Prior to the issuance of building permits, an interior noise analysis evaluating proposed exterior wall construction, windows and doors shall be completed in order to ensure that the interior noise levels meet the California Code of Regulations, Title 24 Noise Insulation Standard of 45 dBA CNEL or less. If the Title 24 noise analysis indicates that windows must be closed in order to achieve interior noise levels of less than 45 dBA CNEL, construction drawings must include a mechanical ventilation system that meets UBC requirements to provide a habitable interior environment with windows closed in impacted units.	Plan Check/Site Inspection	X	X	X	X	Applicant/City Planning and Building Department/City Engineering Department			
9.	Pursuant to Section 17.24.050(J) of the Chula Vista Municipal Code, project-related grading or construction activities shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m. Monday through Friday and between 10:00 p.m. and 8:00 a.m. Saturdays and Sundays.	Plan Check/Site Inspection	X	X	X	X	Applicant/City Planning and Building Department/City Engineering Department			
10.	All construction equipment shall operate and be maintained to minimize noise generation. Equipment and construction vehicles shall be kept in good repair and fitted with "manufacturer recommended" mufflers.	Plan Check/Site Inspection	X	X	X	X	Applicant/City Planning and Building Department/City Engineering Department			
11.	Prior to approval of building permits, the applicant shall submit a subsequent noise study to the satisfaction of the Environmental Review Coordinator demonstrating that the final roof-mounted HVAC and other roof mounted equipment complies with the City's noise control ordinance at the property boundaries of 45dBA Leq (one hour) during nighttime hours and 55 dBA Leq (one hour) during daytime hours or ambient noise levels, whichever is greater.	Plan Check/Site Inspection	X	X	X	X	Applicant/City Planning and Building Department			

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Table 1

12.	All rooftop pumps, fans, and air conditioners/heating units on the project buildings shall include appropriate noise abatement and be screened by a minimum three-foot high rooftop parapet that blocks the line-of-site view from nearby residential properties to the exposed roof and mechanical ventilation systems.	Plan Check/Site Inspection	X	X	X	X	X	Applicant/City Planning and Building Department			
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CITY OF
CHULA VISTA

ENVIRONMENTAL CHECKLIST FORM

1. Name of Proponent: Wakeland Housing and Development Corporation
2. Lead Agency Name and Address: City of Chula Vista
276 Fourth Avenue
Chula Vista, CA 91911
3. Addresses and Phone Number of Proponent: Wakeland Housing and Development Corporation
Rebecca Louie
625 Broadway, suite 1000
San Diego, CA 92101
(619) 235-2296
4. Name of Proposal: Los Vecinos
5. Date of Checklist: April 13, 2007
6. Case No. IS-07-017

ENVIRONMENTAL ANALYSIS QUESTIONS:

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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1

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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which would adversely affect day or nighttime views in the area?

Comments:

- a) No significant scenic vistas or views open to the public exist through the site.
- b) In accordance with the City's General Plan, Broadway Avenue is not designated a scenic roadway nor does the site contain any buildings within a State scenic highway.
- c) The project site is within an urbanized area surrounded by commercial and various residential uses. The project site is planned for future mixed-use residential land use according to the General Plan Update. The development of a planned multifamily residential development would not substantially degrade the existing visual character or quality of the site or surrounding area. Project will be reviewed by the Chula Vista Design Review Commission to ensure compatibility with the aesthetic quality of the community.
- d) The proposal will be required to comply with the City's minimum standards for roadway lighting. The project will be required to comply with the light and glare regulations (Section 19.66.100) of the Chula Vista Municipal Code (CVMC). Compliance with these regulations will ensure that no significant glare, or light would affect daytime or nighttime views in the surrounding residential neighborhood area or adjacent roadways. Preliminary lighting plans indicate proper shielding to ensure that lighting does not spill horizontally beyond the development boundaries.

Mitigation: No mitigation measures are required.

II. AGRICULTURAL RESOURCES. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Comments:

a-c) The project site is presently located in a developed urbanized area. The project site is neither in current agricultural production nor adjacent to property in agricultural production and contains no agricultural resources or designated farmland areas.

Mitigation: No mitigation measures are required.

III. AIR QUALITY. Would the project:

- | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Comments:

a-e) See Mitigated Negative Declaration, Section E.

Mitigation: The mitigation measures contained in Section F of the Mitigated Negative Declaration and referred to would mitigate potentially significant air quality impacts to a level of less than significance.

2-53

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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IV. BIOLOGICAL RESOURCES. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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Issues:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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conservation plan?

Comments:

- a) No endangered species, species of concern species that are candidates for listing are present within or immediately adjacent to the developed project area.
- b) No locally riparian habitat or other natural sensitive communities are present within or immediately adjacent to the developed project area.
- c) No wetland habitat is present within or immediately adjacent to the developed project area.
- d) No wildlife dispersal or migration corridors exist within or immediately adjacent to the developed project area.
- e) No impacts to local policies or ordinances protecting biological resources are anticipated with the project development.
- f) No impacts to regional habitat preservation planning efforts will be created, as the development site is a designated development area in the adopted Chula Vista Multiple Species Conservation Program Subarea Plan.

Mitigation: No mitigation measures are required.

V. CULTURAL RESOURCES. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in State CEQA Guidelines § 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to State CEQA Guidelines § 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Disturb any human remains, including those interred outside of formal cemeteries.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a) Based upon site visit and review, it has been determined that the subject building(s) associated with the motel are not historically significant. The structures are non-descript buildings that do not represent a significant period of time or architectural type. There is no evidence or record to indicate these buildings were significant to the history of Chula Vista or would meet any other criteria for consideration for listing on the City of Chula Vista Historic List. No historic resources are known or are expected to be present within the project impact area. Therefore, no substantial adverse change in the significance of a historical resource as defined in Section 15064.5 is anticipated.
- b) Based on the level of previous disturbance to the site associated with the development of the motel and the relatively minor grading necessary to construct the proposed multifamily residential project, the potential for impacts to archaeological resources is considered to be less than significant.
- c) The project site is identified as an area of low to moderate potential for paleontological resources in the City's General Plan EIR. Based on the relatively minimal necessary construction activities and previous site disturbance when the motel was developed, potential for impacts to paleontological resources is considered to be less than significant. No unique cultural features are known to be present on the site.
- d) No human remains are anticipated to be present within the impact area of the project.

Mitigation: No mitigation measures are required.

VI. GEOLOGY AND SOILS -- Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:
 - i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 - ii. Strong seismic ground shaking?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:

a-e) See Mitigated Negative Declaration, Section E.

Mitigation: The mitigation measures contained in Section F of the Mitigated Negative Declaration would mitigate potentially significant geology and soils impacts to a level of less than significance.

VII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Comments:

a,b, c, and d) See Mitigated Negative Declaration, Section E.

- e) The project is not located within an airport land use plan nor within two miles of a public airport or public use airport; therefore, the project would not expose people residing or working in the project area to adverse safety hazards.
- f) The project is not located within the vicinity of a private airstrip; therefore, the project development would not expose people working in the project area to adverse safety hazards.
- g) The in-fill project is located on an established City street (Broadway) and would not interfere with any applicable emergency response plans.
- h) The project is designed to meet the City's Fire Prevention building, emergency circulation and fire service requirements. No exposure of people or structures to a significant risk of loss, injury or death due to wildfires is anticipated.

Mitigation: The mitigation measures contained in Section F of the Mitigated Negative Declaration would mitigate potentially significant hazards/hazardous material impacts to a level of less than significance.

VIII. HYDROLOGY AND WATER QUALITY.

Would the project:

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| a) Result in an increase in pollutant discharges to receiving waters (including impaired water bodies pursuant to the Clean Water Act Section 303(d) list), result in significant alteration of receiving water quality during or following construction, or violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? Result in a potentially significant adverse | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

2-59

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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impact on groundwater quality?

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?

☐ ☐ ☒ ☐

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, or place structures within a 100-year flood hazard area which would impede or redirect flood flows?

☐ ☐ ☒ ☐

e) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

☐ ☐ ☒ ☐

f) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

☐ ☐ ☒ ☐

Comments:

(a-f) See Mitigated Negative Declaration, Section E.

Mitigation: The mitigation measures contained in Section F of the Mitigated Negative Declaration would mitigate potentially significant hydrology and water quality impacts to a level of less than significance.

VIII. LAND USE AND PLANNING. Would the project:

a) Physically divide an established community?

☐ ☐ ☐ ☒

2-60

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a) The proposed multifamily residential infill project would be consistent with the character of the surrounding commercial and mixed-use area and, therefore, would not disrupt or divide an established community.
- b) The project site is within the CTP (Commercial Thoroughfare/Precise Plan) Zone and MUR (Mixed Use Residential) General Plan designations. The project requires a rezone from CT to R3 to be consistent with the Updated General Plan and Added Area Redevelopment Plan.
- c) The project would not conflict with any applicable adopted environmental plans or policies. Furthermore, the project would not encroach into or indirectly affect the MSCP Preserve area. The project site is designated as developable area within the MSCP Subarea Plan.

Mitigation: No mitigation measures are required.

X. MINERAL RESOURCES. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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general plan, specific plan or other land use plan?

Comments:

- a) The project site has been previously disturbed with commercial and residential land uses. The proposed project would not result in the loss of availability of a known mineral resource of value to the region or the residents of the State of California. Therefore, no loss or impacts to mineral resources are anticipated as a result of the proposed project.
- b) The State of California Department of Conservation has not designated the project site for mineral resource protection. According to the General Plan Update there are no regionally significant resource areas in western Chula Vista and no mining activities currently occurring. Therefore, no impacts to a locally known mineral resource or availability are anticipated as a result of the proposed project.

Mitigation: No mitigation measures are required.

XI. NOISE. Would the project result in:

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

2-62

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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project area to excessive noise levels?

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comments:

a-d) See Mitigated Negative Declaration, Section E.

e) The project is not located within an airport land use plan nor within two miles of a public airport or public use airport; therefore, the project would not expose people residing or working in the project area to excessive noise levels.

f) The project is not located within the vicinity of a private airstrip; therefore, the project development would not expose people working in the project area to excessive noise levels.

Mitigation: The mitigation measures contained in Section F of the Mitigated Negative Declaration would mitigate potentially significant noise impacts to a level of less than significance.

XII. POPULATION AND HOUSING. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Comments:

a-c) The project is surrounded by commercial businesses, multifamily residences, a mobile home park and auto repair business. The proposed project does not involve the extension of public facilities or roadways (Broadway) that would induce substantial growth. Future residential development of the site for the proposed 42 multifamily affordable residential units is consistent with the General Plan and would not exceed the regional or local population projections. The proposed project would not involve displacement of existing housing or individuals nor necessitate replacement housing, as the site is currently vacant and the motel lodge is not in operation. No significant population and housing impacts will be created as a result of the proposed project.

Mitigation: No mitigation measures are required.

XIII. PUBLIC SERVICES. Would the project:

Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any public services:

a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

2-6A

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Comments:

- a) According to the Fire Department, adequate fire protection services can continue to be provided to the site. The applicant will be required to comply with the Fire Department policies for fire truck turnaround and new building construction. Based upon project design and proposed development of the emergency access, queuing/routing and turnarounds no significant environmental impacts were identified. The City's Fire performance objectives and thresholds will continue to be met.
- b) According to the Chula Vista Police Department, adequate police protection services can continue to be provided upon completion of the proposed project. The proposed project would not have a significant effect upon or result in a need for substantial new or altered police protection services. The City's Police performance objectives and thresholds will continue to be met.
- c) According to the Chula Vista Elementary School District letter dated February 9, 2007, the applicant would be required to pay the statutory building permit school fees for the proposed residential construction. The District requires a copy of the approved tentative map upon project approval. The proposed project would not induce substantial population growth; therefore, no significant adverse impacts to public schools would result.
- d) The proposed project would not induce significant population growth, as it is a residential infill project. However, the applicant will be required to pay Park Acquisition and Development Fees (PAD) in accordance with Chapter 17.10 "Parklands & Public Facilities" of the city of Chula Vista Municipal Code.
- e) According to the Preliminary Sewer Study for the Los Vecinos project and dated March 19, 2007 and addendum dated April 2007 (Lintvedt McColl and Associates), the project site is within the boundaries of the City of Chula Vista wastewater services area. The existing area sewer facility system includes an existing 8-inch sewer line along the project frontage on Broadway. The onsite sewer improvements and laterals are proposed to each building unit to the City public sewer main. Based upon the sewer analysis, the proposed project would not significantly impact the existing off-site downstream wastewater facilities and would not trigger additional sewer improvements due to the proposed change in land use. The proposed project would not have a significant effect upon or result in a need for new or expanded governmental services and could continue to be served by existing public infrastructure and therefore, would not have a significant effect upon the public facilities..

Mitigation: No mitigation measures are required.

XIV. RECREATION. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

2-45

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Comments:

- a) Because the proposed project would not induce significant population growth, it would not create a demand for neighborhood or regional parks or facilities nor impact existing neighborhood parks or recreational facilities. Therefore, the proposed project does not create a significant impact to City recreational facilities or services.
- b) The proposed project does not include or require the construction or expansion of recreational facilities, therefore, does not have an adverse physical effect on the environment.

Mitigation: No mitigation measures are required.

XV. TRANSPORTATION / TRAFFIC. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Result in inadequate parking capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

2-46

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

267

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Comments:

(a-g) To identify potential traffic impacts associated with the project development, a Traffic Analysis Report/Site Access Evaluations – Los Vecinos, Chula Vista dated February 8, 2007, was prepared by Kimley-Horn and Associates, Inc. The intent of the analysis was to identify key impacts regarding the development of the proposed project.

The proposed project would provide 42 multifamily residential units within the western portion of the City. According to the traffic report, the project would generate 252 daily trips; including 20 AM peak hour trips and 23 PM peak hour trips. The original site was occupied previously by a motel that contained 36 units and the former use had a daily traffic generation of 324 daily trips, including 26 AM peak hour and 29 PM peak hour trips. The project site is currently accessed via two driveways off Broadway that will be closed. Two new driveways will be relocated along Broadway and will continue to provide access to the project site. Broadway is classified as a four-lane major roadway in the General Plan Update. This segment of Broadway near the project site is flat therefore, a clear line of sight will be provided at each driveway based upon required building setbacks, signage and landscaping in accordance with development plans. There may be minor obstruction to motorists as they approach the site from the south and exit the site going towards the south. However, there are opportunities during gaps in traffic for the left turning phase and left turns and u turns further north and at the northbound left turn pocket at Broadway/Palomar Street. This is not a substantial increase in the number of vehicle trips or volume of road capacity and the project does not create an adverse congestion impact to the nearby intersections, or conflict with regional adopted transportation policies, plans or significantly impact alternative transportation systems.

According to the Fire Department adequate turn around space is provided on the interior roadway that allows emergency vehicles and vehicle/truck circulation adequate queing and turnaround. In addition, the 26' foot-width drive aisles and emergency circulation path as reflected in the project design meets the Fire Department standards. Private drives as reflected in the development plans and through project design meet adequate turnaround radius requirements according to the Engineering Department.

A total of 68 ground level parking spaces will be provided on the project site. These spaces will be located along the outer perimeter of the site between the building and perimeter wall/fencing. Of these 68 spaces, 37 are standard open spaces, 19 are compact spaces, and 13 are standard covered spaces. The City Municipal Code/Zoning Ordinance requires 72 parking spaces for the proposed project and allows a maximum of 10% of the total number to be compact (7 spaces). Therefore, the applicant has requested that the parking deficiency be apart of the development standards under the California State Law/Government Code Section 65915 that allows the parking deviation in exchange for a percentage of units to be identified as lower income housing. No significant traffic impacts are anticipated as a result of the proposed project and minor parking deviation.

Mitigation: No mitigation measures are required.

XVI. UTILITIES AND SERVICE SYSTEMS.
Would the project:

2-68

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

2-69

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Comments:

- a) The project site is located within an urban area that is served by all necessary utilities and service systems. No exceedance of wastewater requirements of the Regional Water Quality Control Board would result from the proposed project.
- b) The proposed project area is within the Sweetwater District Water service territory according to written communications dated December 27, 2006. An existing 8-inch water main is located on the eastside of Broadway, along the project frontage. There is one existing domestic water service to the project site. The proposal shows a relocation of the existing water meter behind the proposed new sidewalk along Broadway. The applicant must submit a plan that includes the total fixture unit count of all proposed new plumbing fixtures, so that appropriate services sizes can be determined. Private onsite fire hydrants and fire services for the building sprinklers will be served by the private onsite fire services located in the public right of way, but clear of driveway apron. The applicant will be required to coordinate with the Water District for proper design guidance including any new and existing water services will be required to be installed with backflow prevention assemblies and if applicable, proper check detectors/backflows for fire protection systems. The project has been conditioned to comply with the Sweetwater District Water regulations and standards.

The existing sewer main is an 8-inch sewer line that runs north along Broadway. Based upon the Sewer Study dated March 19, 2007 and addendum April 2007 (Lintvedt, McColl & Associates), the proposed improvements include the extension of the existing main and lateral connections onto the project site. The proposed project would not significantly impact the existing off-site downstream wastewater facilities and would not trigger additional sewer improvements due to the proposed change in land use. The applicant, as a project condition; will be required to submit a design plan with proper sized pipes and a final sewer plan to the satisfaction of the City Engineer. No significant impacts are anticipated to result from the proposed project.

- c) See Mitigated Negative Declaration, Section E. The potential discharge of silt during construction activities could impact the storm drain system further along Broadway. Appropriate erosion control measures will be identified in conjunction with the preparation of final grading plans to be implemented during construction. The proposed project is subject to the NPDES General Construction Permit requirements and will obtain permit coverage and develop a Storm Water Pollution Prevention Plan (SWPPP) prior to issuance of grading permits. In addition, the project shall be required to implement post-construction Best Management Practices (BMPs) to the Maximum Extent Practicable, including the use of high pollutant removal efficiency treatment BMPs. The project shall be conditioned to implement construction and post-construction water quality Best Management Practices (BMPs) for storm water pollution prevention in accordance with the Chula Vista Standard Urban Storm Water Mitigation Plan (SUSMP).
- d) The project site is within the potable water service area of the Sweetwater District. The proposed project will be required to construct expansions to existing water facilities as described in Section b above.
- e) See XVI.a. and b.
- f) The City of Chula Vista is served by regional landfills with adequate capacity to meet the solid waste needs of the region in accordance with State law.
- g) The proposal would be conditioned to comply with federal, state and local regulations related to solid waste.

Mitigation: The mitigation measures contained in Section F of the Mitigated Negative Declaration would mitigate identified hydrology and water quality impacts to a level of less than significance.

2-70

Issues:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVII. THRESHOLDS

Will the proposal adversely impact the City's Threshold Standards?

A. Library

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

The City shall construct 60,000 gross square feet (GSF) of additional library space, over the June 30, 2000 GSF total, in the area east of Interstate 805 by buildout. The construction of said facilities shall be phased such that the City will not fall below the city-wide ratio of 500 GSF per 1,000 population. Library facilities are to be adequately equipped and staffed.

B) Police

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

a) Emergency Response: Properly equipped and staffed police units shall respond to 81 percent of "Priority One" emergency calls within seven (7) minutes and maintain an average response time to all "Priority One" emergency calls of 5.5 minutes or less.

b) Respond to 57 percent of "Priority Two" urgent calls within seven (7) minutes and maintain an average response time to all "Priority Two" calls of 7.5 minutes or less.

C) Fire and Emergency Medical

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Emergency response: Properly equipped and staffed fire and medical units shall respond to calls throughout the City within 7 minutes in 80% of the cases (measured annually).

D) Traffic

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

The Threshold Standards require that all intersections must operate at a Level of Service (LOS) "C" or better, with the exception that Level of Service (LOS) "D" may occur during the peak two hours of the day at signalized intersections. Signalized intersections west of I-805 are not to operate at a LOS below their 1991 LOS. No intersection may reach LOS "E" or "F" during the average weekday peak hour. Intersections of arterials with freeway ramps are exempted from this Standard.

2-71

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>E) <u>Parks and Recreation Areas</u></p> <p>The Threshold Standard for Parks and Recreation is 3 acres of neighborhood and community parkland with appropriate facilities/1,000 population east of I-805.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>F) <u>Drainage</u></p> <p>The Threshold Standards require that storm water flows and volumes not exceed City Engineering Standards. Individual projects will provide necessary improvements consistent with the Drainage Master Plan(s) and City Engineering Standards.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>G) <u>Sewer</u></p> <p>The Threshold Standards require that sewage flows and volumes not exceed City Engineering Standards. Individual projects will provide necessary improvements consistent with Sewer Master Plan(s) and City Engineering Standards.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>H) <u>Water</u></p> <p>The Threshold Standards require that adequate storage, treatment, and transmission facilities are constructed concurrently with planned growth and that water quality standards are not jeopardized during growth and construction.</p> <p>Applicants may also be required to participate in whatever water conservation or fee off-set program the City of Chula Vista has in effect at the time of building permit issuance.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2-72

Issues:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Comments:

- a) The project is a affordable multifamily housing project containing 42 residential units with a community center for use by the residents. The residential units are proposed within one three-story building. It would not significantly induce population growth, as it is a minimum sized residential use; therefore, no impacts to library facilities would result. No adverse impact to the City's Library Threshold standards would occur as a result of the proposed project.
- b) No adverse impact to the City's Police threshold standards would occur as a result of the proposed project. Police Department states that they can continue to provide service at current levels. Security measures are recommended to the management that include educational information for the tenants and security lighting within the parking lot, interior walkway and building exterior. No adverse impact to the City's Police threshold standards would occur as a result of the proposed project.
- c) According to the Fire Department, adequate fire protection and emergency medical services can continue to be provided to the site. Although the Fire Department has indicated they will provide service to the project, the project will still contribute to the incremental increase in fire service demand throughout the City. This increased demand on fire services will not result in a significant cumulative impact. No adverse impact to the City's Fire threshold standards would occur as a result of the proposed project.
- d) See Mitigated Negative Declaration, Section E.
- e) The proposed project would not induce significant population growth, as it is a residential infill project and would not impact existing or proposed recreational facilities. However, the applicant will be required as a condition of project approval to pay Park Acquisition and Development Fees (PAD) in accordance with Ordinance No. 2945 adopted by City Council on January 6, 2004.
- f) The applicant proposes new drainage facilities, filtration and treatment systems on the project site in order to properly convey stormwater from the developed site to existing city drainage facilities. The project site does not currently contain a public storm drain system. In order to avoid drainage impacts mitigation is required. See Mitigated Negative Declaration, Section E.
- g) The project site is within the boundaries of the City of Chula Vista wastewater services area. The site currently contains a motel that provided 36 units and the proposed project includes 42 multifamily residential units, a difference of 6 units requiring wastewater service. The existing area sewer facility system includes an existing sewer line north along Broadway. No adverse impacts to the City's sewer system or City's sewer threshold standards will occur as a result of the proposed project.
- h) The proposed project area is within the Sweetwater District Water service territory according to written communications dated December 27, 2006. Project impacts to the Authority's storage, treatment, and transmission facilities would be less than significant.

Mitigation: No mitigation measures are required.

2-73

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Comments:

- The project site has been previously developed and graded to accommodate the existing motel lodge in accordance with City Municipal Code, regulations and standards. The project site is located within an established urbanized area of the western portion of Chula Vista, and is within the designated development area of the adopted Chula Vista MSCP Subarea Plan. There are no known sensitive plant or animal species or cultural resources on the project site.
- As described in the Mitigated Negative Declaration, significant direct project impacts would be mitigated to below a level of significance through the required mitigation measures. No cumulatively considerable impacts associated with the project when viewed in connection with the effects of past projects, other current projects and probable future projects have been identified.
- See Mitigated Negative Declaration, Section E. Potential impacts to humans associated with air quality, hazards/hazardous materials, hydrology/water quality, and noise would be mitigated to below a level of significance.

2-74

XIX. PROJECT REVISIONS OR MITIGATION MEASURES:

Project mitigation measures are contained in Section F, Mitigation Necessary to Avoid Significant Impacts, and Table 1, Mitigation Monitoring and Reporting Program, of Mitigated Negative Declaration IS-07-017.

XX. AGREEMENT TO IMPLEMENT MITIGATION MEASURES

By signing the line(s) provided below, the Applicant and Operator stipulate that they have each read, understood and have their respective company's authority to and do agree to the mitigation measures contained herein, and will implement same to the satisfaction of the Environmental Review Coordinator. Failure to sign the line(s) provided below prior to posting of this Mitigated Negative Declaration (IS-07-017) with the County Clerk shall indicate the Applicant's and Operator's desire that the Project be held in abeyance without approval and that the Applicant and Operator shall apply for an Environmental Impact Report.

Rebecca Louie, Project manager

Printed Name and Title of Applicant
(or Authorized Representative)

4.16.07

Date

R Louie, Project manager

Signature of Applicant
(or Authorized Representative)

4.16.07

Date

Printed Name and Title of Operator
(if different from Applicant)

Date

Signature of Operator
(if different from Applicant)

Date

XXI. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Potentially Significant Unless Mitigated," as indicated by the checklist on the previous pages.

- | | | |
|---|--|--|
| <input type="checkbox"/> Land Use and Planning | <input checked="" type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Utilities and Service Systems |
| <input checked="" type="checkbox"/> Geophysical | <input type="checkbox"/> Energy and Mineral Resources | <input type="checkbox"/> Aesthetics |
| <input type="checkbox"/> Agricultural Resources | | |
| <input checked="" type="checkbox"/> Hydrology/Water | <input checked="" type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Cultural Resources |
| <input checked="" type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Paleontological Resources | <input checked="" type="checkbox"/> Mandatory Findings of Significance | |

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XXII. DETERMINATION:

On the basis of this initial evaluation:

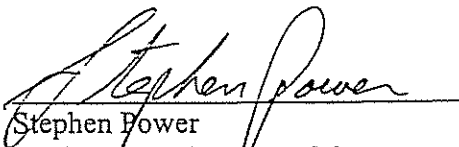
I find that the proposed project **could not** have a significant effect on the environment, and a **Negative Declaration** will be prepared. ☐

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A **Mitigated Negative Declaration** will be prepared. ☒

I find that the proposed project **may** have a significant effect on the environment, and an **Environmental Impact Report** is required. ☐

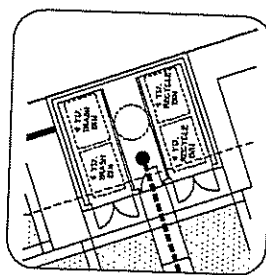
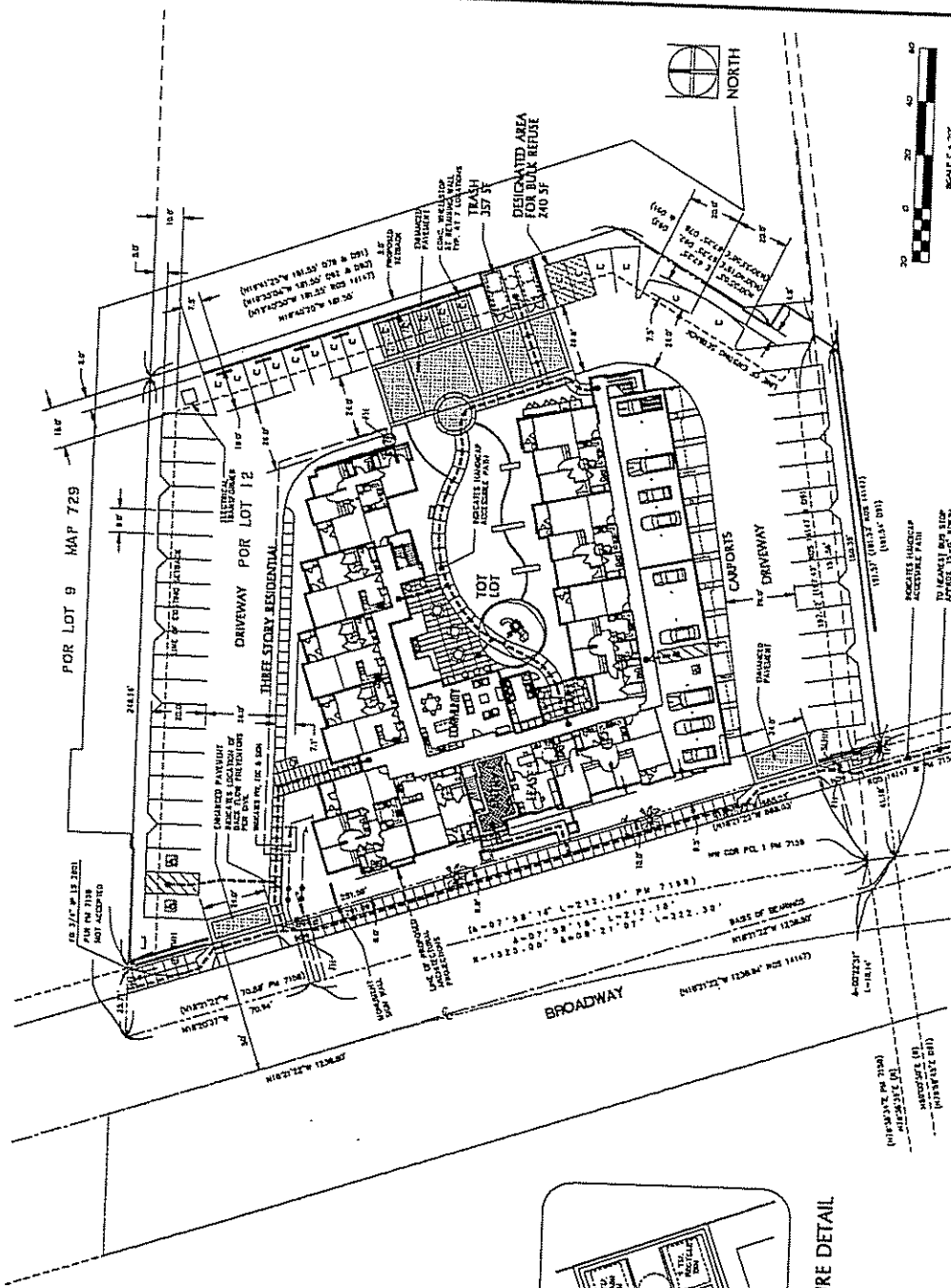
I find that the proposed project **may** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **Environmental Impact Report** is required, but it must analyze only the effects that remain to be addressed. ☐

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or Negative Declaration pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. ☐


Stephen Power
Environmental Projects Manager
City of Chula Vista

5/16/07
Date

ARCHITECTURAL SITE PLAN



TRASH ENCLOSURE DETAIL

[illegible]

2-78

RYA RODRIGUEZ ASSOCIATES
ARCHITECTS & PLANNERS, INC.
300 FIFTH AVE. SUITE 200, SAN DIEGO, CA 92101 619-541-0771 FAX 619-541-0702

SITE DATA
ADDRESS
1000 W. BROADWAY
CALA VISTA, CA 94040

PROPERTY OWNER
DOR BRECKINWAY
CALA VISTA, CA 94040

AREA - CROSS
AREA PARCEL A = 129 AC
AREA PARCEL B = 2,051 AC
TOTAL = 1271 ACRES

APPLICANT
PACIFICZAND (CLINIQUE & DEV. CORP.)
1000 W. BROADWAY, SUITE 800
CALA VISTA, CA 94040

AREA - INET
TOTAL = 1271 ACRES

PROJECT ZONE DESCRIPTION	PROJECT ZONE DESCRIPTION
6.0	2.17
TITLE REPORT	TITLE, GENERAL PLAN DESCRIPTION
CALIFORNIA LAND TITLE CO.	148
CO.	

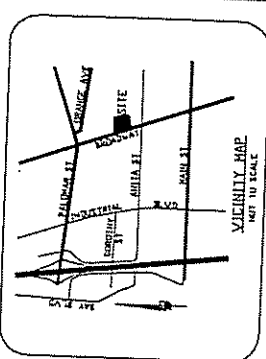
LEGAL DESCRIPTION

PAGE 4

A PORTION OF LOT 10 OF SUBDIVISION OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 SOUTH, RANGE 2 WEST, SAN JUAN MOUNTAIN TRACT, COUNTY OF SAN JUAN, STATE OF CALIFORNIA, ACCORDING TO MAP 10000, NOT YET FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN JUAN COUNTY, OCTOBER 18, 1942.

EXHIBIT 25
A PORTION OF PARCEL 1 IN THE COUNTY OF SAN DIEGO STATE OF CALIFORNIA, AS SHOWN AT PAGE TWO OF PARCEL MAP, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, APRIL 30, 1918.

100



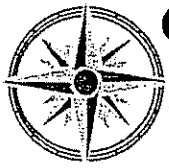
LOS VECINOS
CHULA VISTA - CALIFORNIA

WAKELAND
MEX/DRUM & BASS ARTISTS & PROducers

ARCHITECTURAL SITE PLAN

[illegible]

AS.1



Design

- LUT 41.13** Prior to or concurrent with the approval of the first specific plan or other zoning regulations in the South Third Avenue District, establish a design code that reinforces the safety and serenity of the area, and seeks to establish a coherent, aesthetic, international character to the Southwest Planning Area.
- LUT 41.14** The specific plan or other regulations prepared to guide development in this area shall address design issues that create a sense of place, a pedestrian-friendly environment, enhanced pedestrian linkages, and compatibility with the scale and feel of a cohesive neighborhood community.
- LUT 41.15** A specific plan or other regulations in the South Third Avenue District shall require of wide sidewalks, through-block paseos, and other appropriate design features that enhance the pedestrian environment to link high-use areas, such as the post office; library; park; or a concentration of shops, with transit stations or transit stops.

Amenities

- LUT 41.16** Community amenities to be considered for the South Third Avenue District as part of any incentives program should include, but not be limited to, those listed in Policy LUT 27.1.

8.4.2 South Broadway District

Description of District

The South Broadway District (Figure 5-22) extends from L Street to the City boundary at the Otay Valley.

Existing Conditions

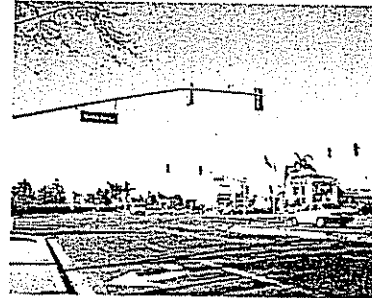
The South Broadway District includes automobile services, major retail stores, and local-serving services for adjacent residential neighborhoods. Automobile-related/service repair shops currently exist on South Broadway from L Street to Naples Street and are not compatible with surrounding uses.

2-97

LAND USE AND TRANSPORTATION ELEMENT

Vision for District

The South Broadway District includes additional residential units along South Broadway, and the phased removal of conflicting automobile-related service/repair shops from L Street to Naples Street, and from Palomar Street to Anita Street. The District focuses on increasing the viability of retail shops, providing for needed housing opportunities, and improving the appearance of this major corridor.



Automobile-related shops are focused within areas designated as light industrial areas, west of Broadway and along Main Street. This is a compatible location for necessary automotive services and avoids land use conflicts on South Broadway, north of Anita Street.

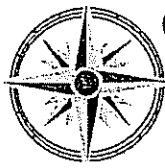
Objective - LUT 42

Revitalize land uses along South Broadway between L Street and Anita Street

Uses

- LUT 42.1** Encourage the development of residential units, mixed with appropriate retail and professional office, in the area designated as Mixed Use Residential between L Street and Naples Street.
- LUT 42.2** Retain retail uses between Naples Street and the SDG&E utility easement.
- LUT 42.3** Encourage the development of residential units, mixed with appropriate retail and professional office, in the area designated as Mixed Use Residential between Palomar Street and Anita Street.
- LUT 42.4** Encourage the relocation of automobile-related service/repair shops from the South Broadway District, north of Naples Street, and south of Palomar Street, to more appropriate areas, including within industrial areas west of Broadway and within the Main Street District, with consideration to effects on adjoining residential neighborhoods.

2-98

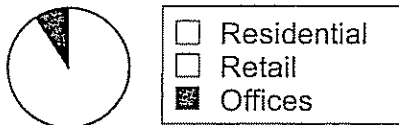


LUT 42.5 Designate uses on the west side of Colorado Street as Light Industrial.

LUT 42.6 Strive for a distribution of uses within the areas designated as Mixed Use Residential between L Street and Naples Street to be retail, office and residential, as generally shown on the following chart



LUT 42.7 Strive for a distribution of uses within the areas designated as Mixed Use Residential between Palomar Street and Anita Street to be retail, office, and residential, as generally shown on the following chart



LUT 42.8 Implement the Broadway Revitalization Plan, as adopted by City Council.

Intensity/Height

LUT 42.9 In the South Broadway District, residential densities within the Mixed Use Residential designation between L Street and Naples Street and between Palomar Street and Anita Street are intended to have a District-wide gross density of 30 dwelling units per acre.

LUT 42.10 In the South Broadway District, the commercial (retail and office) portion of the Mixed Use Residential designation between L Street and Naples Street and between Palomar Street and Anita Street is intended to have a Focus Area-wide aggregate FAR of 1.0. Subsequent specific plans or zoning ordinance regulations will establish parcel-specific FARs that may vary from the District-wide aggregate (refer to Section 4.8.1, Interpreting the Land Use Diagram, for a discussion of district-wide versus parcel-specific FAR).

LUT 42.11 Building heights on both sides of Broadway and along Industrial Boulevard in the South Broadway District shall be primarily low-rise buildings.

2-99

LAND USE AND TRANSPORTATION ELEMENT

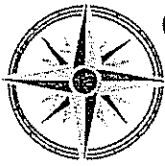
Design

- LUT 42.12** Encourage the upgrading of older and/or marginal retail uses along the South Broadway District.
- LUT 42.13** Prior to or concurrent with the approval of the first specific plan or other zoning regulations for the South Broadway District between L Street and Naples Street, prepare specific guidelines for the development of mixed use projects on South Broadway.
- LUT 42.14** Concurrent with the approval of zoning for industrial uses at the northwest corner of Colorado Avenue and Naples Street in the South Broadway District, ensure that light industrial uses on Colorado Street are designed and constructed to: front on Colorado Street; provide parking and entry door access on the west side of buildings; and be appropriately buffered from residential uses.
- LUT 42.15** Prior to, or concurrent with the approval of the first specific plan or other zoning regulations in the South Broadway District, develop siting guidelines and criteria for locating automobile-related service/repair shops in areas that adjoin residential neighborhoods.

Amenities

- LUT 42.16** Community amenities to be considered for the South Broadway District as part of any incentive program should include, but not be limited to, the following, and to those items listed in Policy LUT 27.1:
- Community center or community-oriented gathering facility
 - Sidewalk widening
 - Pedestrian and landscaping improvements
 - Streetscape improvements
 - Recreational and computer rooms
 - Mentor programs for education and entertainment

2-100



Southwest Planning Area

South Broadway District

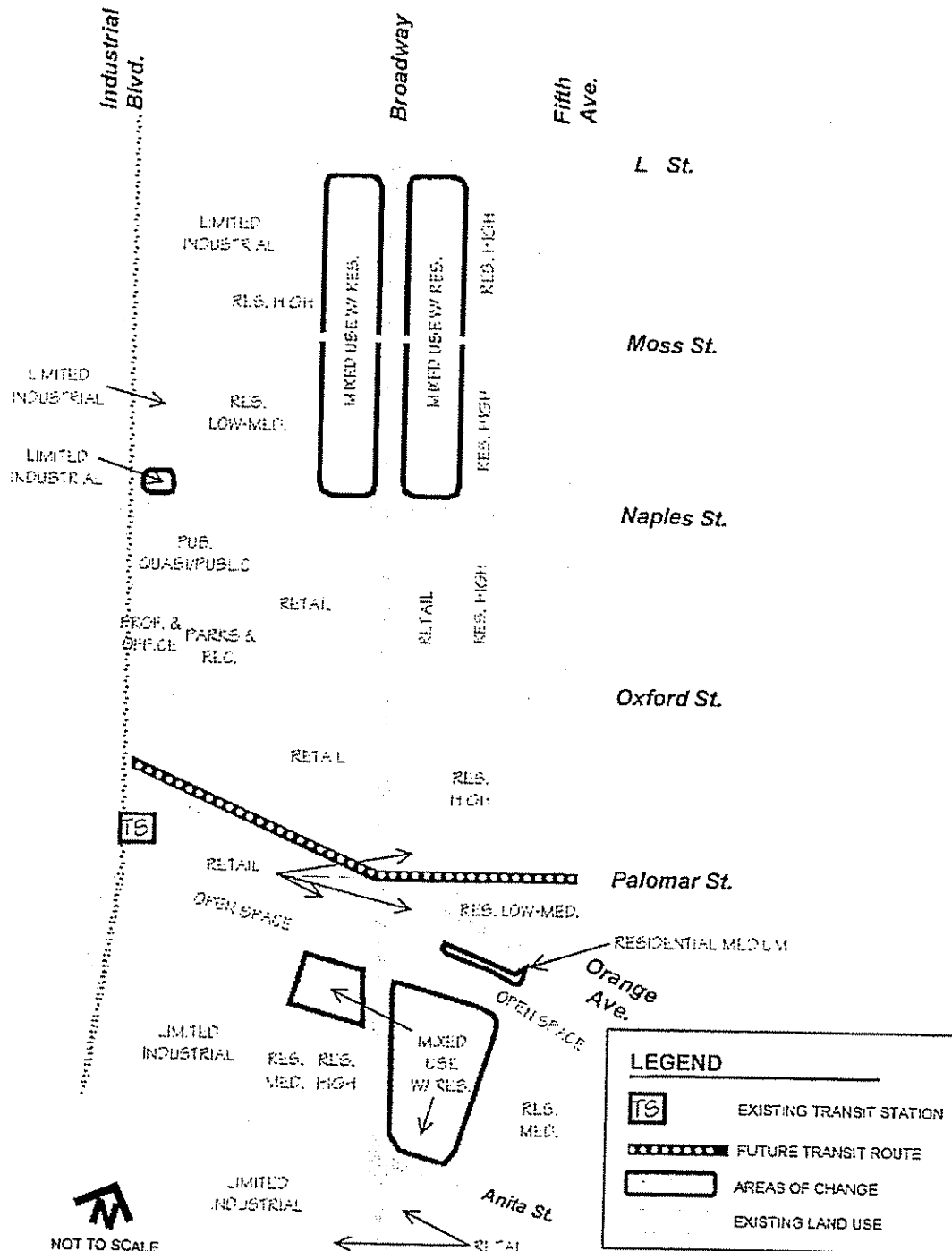


Figure 5-22

2-101

SOUTHWESTERN CHULA VISTA CIVIC ASSOCIATION

PO Box 6064, Chula Vista, CA 91909
(619) 422-6000

ATTACHMENT 7

Members of the RAC and Community Development Staff:

The Southwest Chula Vista Civic Association was formed to provide a structured association for the residents, property owners, and business owners of the underrepresented Southwestern region of Chula Vista, to participate in the preservation, planning, development and protection of the unique character of the area through community education and group action.

After a presentation and a Question and Answer session at our January 18, 2007 meeting the members of the Southwest Chula Vista Civic Association formally resolved to support the Wakeland affordable housing project known as Los Vecinos at 1501 Broadway (the previous site of the Tower Lodge). We ask the city of Chula Vista and the Redevelopment Agency to support this project in all ways possible, including financially. The SWCVCA feels it is critical that the city of Chula Vista provide more affordable housing. The southwestern portion of Chula Vista now has a large number of homeless people. Many of these people could come in off the streets if the city had adequate affordable housing for individuals and families. The people being displaced from affordable mobile home parks also are in need of alternative affordable housing. We were impressed with the high quality of projects by the Wakeland Corporation and the architect they have engaged. This project promises to be a model of sustainable development as well as an asset to our community.

We do have one concern with the project. The SWCVCA asks that the 5-foot setback from the street be reconsidered. We understand that the city planners insisted upon this. We think with a three-story building 5 feet is insufficient. The General Plan Update promotes pedestrian friendly communities. The pictures we were shown of plans for Broadway during the General Plan Update process had wide sidewalks and ample setbacks in order to encourage activity on the street. A five-foot setback does not support a pedestrian friendly, active street.

Sincerely,

Theresa Acerro,
president
Southwest Chula Vista Civic Association

Cc: Mayor Cox and Councilmen Castaneda, McCann, Ramiriez, and Rindone:

2-162

THE CITY OF CHULA VISTA - PLANNING & BUILDING DEPARTMENT

276 fourth Ave., Chula Vista, CA 91910-2631

SUBJECT: Los Vecinos, 1501 Broadway

COMMUNITY DEVELOPMENT
DEPARTMENT

MAY 02 2007

Read by Nydia F.

We the under-signed residence of the "Old" City of Chula Vista neighborhood, in the vicinity of Main Street, Anita Street and Palomar Streets at South Broadway, **ARE VEHEMENTLY OPPOSED** to the construction of a the proposed, three (3) story high, "Los Vecinos", rental housing building in our neighborhood.

This proposed three (3) story high building is being forcibly wedged into an existing residential area that consists totally of only two (2) story structures, requiring extensive variances of the City of Chula Vista Building Code requirements; Density, Parking, Building Setback, Open Space- naming just a few. We the future neighbors of this monster **DO NOT WANT IT IN OUR NEIGHBORHOOD** and ask that the City of Chula Vista abide by its promise to our community when it annexed us, from the County of San Diego over 30 years ago, to strictly enforce the Building Laws it has imposed on all of us equally all these years. We love our community and work hard in keeping it a grate place to live and ask the City not to abandon us.

EN ESPANOL

Nosotros, que nuestros nombres y direcciones escribimos en este documento, somos residentes de la ciudad de Chula Vista y vivimos cerca de las calles de Main Street, Anita Street, y Palomar Street y al sur de la calle Broadway, **ESTAMOS IN CONTRA** de la construccion del edificio de tres (3) pisos altos, el "Los Vecinos" proyecto, en nuestra comunidad.

A fuerza y in contra de la ley, se proponen a construir este proyecto, con su edificio de tres(3) pisos altos, en nuestra comunida- entre medio de edificios de solamente dos (2) pisos altos. Esta construccion esta contra la ley de construir edificios in esta zona por la ciudad de Chula Vista (City of Chula Vista Building Code). Nosotros, los residendes de esta comunidad, quedamos de ser vecinos de este monstruo edificio, y **NO LO QUEDEMOS EN NUESTRO HOGAR**. Le pedimos a nuestra Ciudad, al el alcalde, de Chula Vista que cumplen con su promesa de tratar los a todos lo mismo, quando empleando las leyes de la Ciudad de Chula Vista. Eso los prometieron, ya hace mas que treinta (30) anos, quando los anexo de el Condado de San Diego. A nosotros los encanta nuestra comunidad, y trabajamos muy duro para continuar ser orgullosos de nuestro vecino y le pedimos a la Ciudad de Chula Vista que no los abandone.

NAME / NOMBRE	DATE / FECHA	ADDRESS / DIRECCION
Eduardo Lopez	4-27-07	1547 BROADWAY #43
Chenora Chula	4-29-07	528 Anita #54
Edith Jimenez	4-29-07	536 ANITA #83
Richard Rios	4-29-07	536 ANITA #90
Teresa	4-29-07	531 ANITA #91
Roberto Rios	4-29-07	536 ANITA #89
Guadalupe de la Cruz	4-29-07	532 ANITA #80
JESUS GARCIA	04-29-07	536 ANITA ST #84
BELEN GONZALEZ	04-29-07	532 ANITA ST #106
John McDonald	4-29-07	532 ANITA ST #108
Rosael Martinez	04/29/07	532 ANITA ST #111 mt.

THE CITY OF CHULA VISTA - PLANNING & BUILDING DEPARTMENT

276 fourth Ave., Chula Vista, CA 91910-2631

SUBJECT: Los Vecinos, 1501 Broadway

We the under-signed residence of the "Old" City of Chula Vista neighborhood, in the vicinity of Main Street, Anita Street and Palomar Streets at South Broadway, **ARE VEHEMENTLY OPPOSED** to the construction of a the proposed, three (3) story high, "Los Vecinos", rental housing building in our neighborhood.

This proposed three (3) story high building is being forcibly wedged into an existing residential area that consists totally of only two (2) story structures, requiring extensive variances of the City of Chula Vista Building Code requirements; Density, Parking, Building Setback, Open Space- naming just a few. We the future neighbors of this monster **DO NOT WANT IT IN OUR NEIGHBORHOOD** and ask that the City of Chula Vista abide by its promise to our community when it annexed us, from the County of San Diego over 30 years ago, to strictly enforce the Building Laws it has imposed on all of us equally all these years. We love our community and work hard in keeping it a grate place to live and ask the City not to abandon us.

EN ESPANOL

Nosotros, que nuestros nombres y direcciones escribimos in este documento, somos residentes de la ciudad de Chula Vista y vivimos cerca de las calles de Main Street, Anita Street, y Palomar Street y al sur de la calle Broadway, **ESTAMOS IN CONTRA** de la construccion del edificio de tres (3) pisos altos, el "Los Vecinos" proyecto, en nuestra comunidad.

A fuerza y in contra de la ley, se proponen a construir este proyecto, con su edificio de tres(3) pisos altos, en nuestra comunida- entre medio de edificios de solamente dos (2) pisos altos. Esta construccion esta contra la ley de construir edificios in esta zona por la ciudad de Chula Vista (City of Chula Vista Building Code). Nosotros, los residentes de esta comunidad, quedamos de ser vecinos de este monstruo edificio, y **NO LO QUEDEMOS EN NUESTRO HOGAR**. Le pedimos a nuestra Ciudad, al el alcalde, de Chula Vista que cumplen con su promesa de tratar los a todos lo mismo, quando empleando las leyes de la Ciudad de Chula Vista. Eso los prometieron, ya hace mas que treinta (30) anos, quando los anexo de el Condado de San Diego. A nosotros los encanta nuestra comunidad, y trabajamos muy duro para continuar ser orgullosos de nuestro vecino y le pedimos a la Ciudad de Chula Vista que no los abandone.

NAME / NOMBRE

DATE / FECHA

ADDRESS / DIRECCION

Elena Puellos	4-29-07	532 ANITA #110
Lidia Castillo	4-29-07	532 Anita St #98
LOURDES BERNAL	4-29-07	528 Anita #57
MARKO ESPARZA	4-29-07	1547 BROADWAY #41

CVRC RESOLUTION NO. 2007 _____

RESOLUTION OF THE CHULA VISTA REDEVELOPMENT CORPORATION RECOMMENDING THAT THE CITY COUNCIL INTRODUCE AN ORDINANCE ADOPTING THE MITIGATED NEGATIVE DECLARATION IS-07-017, AMENDING THE ZONING MAPS ESTABLISHED BY MUNICIPAL CODE SECTION 19.18.010 BY REZONING ONE PARCEL CONSISTING OF 1.46 ACRES LOCATED AT 1501 BROADWAY FROM CT-P (COMMERCIAL THOROUGHFARE WITH PRECISE PLAN) TO R-3 (APARTMENT RESIDENTIAL), AND APPROVING INCENTIVES AND CONCESSIONS PURSUANT TO THE DENSITY BONUS LAW FOR THE REDUCTION IN CERTAIN DEVELOPMENT STANDARDS FOR THE DEVELOPMENT OF AN AFFORDABLE FOR-RENT PROJECT BY WAKELAND HOUSING DEVELOPMENT

WHEREAS, the area of land, which is the subject of this ordinance is depicted in Exhibit "A", which is incorporated into this ordinance by this reference, and for the purpose of general description herein consists of 1.46 acres of land located at 1501 Broadway, within the Merged Chula Vista Redevelopment Project ("Project Site"); and

WHEREAS, on December 14, 2006 a duly verified application for a Rezone (PCZ-07-06) and Design Review Permit (DRC-07-27) was filed with the City of Chula Vista on behalf of the Wakeland Development Corporation ("Applicant") to allow the construction of a 42-unit affordable housing project located at 1501 Broadway ("Project"); and

WHEREAS, the Environmental Review Coordinator reviewed the proposed project for compliance with the California Environmental Quality Act and prepared an Initial Study, IS-07-017, in accordance with the California Environmental Quality Act (CEQA). Based upon results of the Initial Study, the Environmental Review Coordinator determined that the project could result in effects on the environment. However, revisions to the project made by, or agreed to, by the applicant would avoid the effects, or mitigate the effects, to a point where clearly no significant effects would occur. Therefore, the Environmental Review Coordinator has prepared a Mitigated Negative Declaration, IS-07-017; and

WHEREAS, on May 23, 2007, a Planning Commission hearing time and place was set for said Rezone and Density Bonus and notice of said hearing, together with its purpose, was given by its publication in a newspaper of general circulation in the City, and its mailing to property owners and residents within 500 feet of the exterior boundaries of the property, at least ten (10) days prior to the hearing; and

WHEREAS, a hearing at the time and place as advertised, namely May 23, 2007, at 6:00 p.m. in the Council Chambers, 276 Fourth Avenue, was held before the Planning Commission and said hearing was thereafter closed; and

WHEREAS, the Planning Commission reviewed and considered the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, IS-06-008; and

WHEREAS, the Planning Commission, after considering all evidence and testimony presented, recommended by a vote of 7-0 that the City of Chula Vista City Council approve Rezone (PCZ-07-06) of 1.46-acres site from CTP to R-3 zone and the Density Bonus and concessions; and

WHEREAS, the proceedings and all evidence introduced before the Planning Commission at the public hearing on this Project held on May 23, 2007, and the minutes and the resulting resolution, are incorporated into the record of this proceeding; and

WHEREAS, a hearing time and place was set by the Chula Vista Redevelopment Corporation for consideration of the application and notice of said hearing, together with its purpose, was given by its publication in a newspaper of general circulation in the City, and its mailing to property owners and residents within 500 feet of the exterior boundaries of the property, at least ten (10) days prior to the hearing; and

WHEREAS, the Chula Vista Redevelopment Corporation (CVRC) held a duly noticed public hearing to consider said application at the time and place as advertised, namely June 14, 2007 at 6:00 p.m. in the Council Chambers, 276 Fourth Avenue, before the Chula Vista Redevelopment Corporation and said hearing was thereafter closed.

NOW, THEREFORE, BE IT RESOLVED that the Chula Vista Redevelopment Corporation does hereby find, determine, and resolve as follows:

A. ENVIRONMENTAL DETERMINATION

The Environmental Review Coordinator has reviewed the proposed project for compliance with the California Environmental Quality Act and has conducted an Initial Study, IS-07-017, in accordance with the California Environmental Quality Act. Based upon results of the Initial Study, the Environmental Review Coordinator determined that the project could result in effects on the environment. However, revisions to the project made by or agreed to by the applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; therefore, the Environmental Review Coordinator prepared a Mitigated Negative Declaration, IS-07-017.

The Chula Vista Redevelopment Corporation finds that, in the exercise of its independent judgment, as set forth in the record of its proceedings, the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (IS-07-017), which is on file in the Planning and Building Department, has been prepared in accordance with the requirements of the California Environmental Quality Act (CEQA), and the Environmental Review Procedures of the City of Chula Vista; and that the Project's environmental impacts will be mitigated by adoption of the Mitigation Measures described in the Mitigated Negative Declaration, and contained in the Mitigation Monitoring and Reporting Program, and that the Mitigation Monitoring and Reporting Program is designed to ensure that during Project implementation, the

permittee/Project applicant, and any other responsible parties implement the project components and comply with the Mitigation Monitoring Program.

B. REZONE

The rezoning provided for herein is consistent with the City of Chula Vista General Plan, public necessity, convenience and the general welfare and good zoning practice support the amendments to the Municipal Code. The proposed R-3 zone would provide an implementing zone for the existing Mixed Use Residential (MUR) designation of the City's 2005 General Plan, and will contribute to the public convenience and general welfare by further assisting the City's efforts to satisfy the goals and objectives of the General Plan Land Use and Transportation (LUT) Policy 42.3 and 42.9 for this area and the goals and objectives of the Amended and Restated Redevelopment Plan (2004) regarding the removal of blight and physical improvement to this area of the redevelopment project area.

In order to implement this zoning change, the City Council of the City of Chula Vista would need to adopt an ordinance amending the Chula Vista Zoning Map established by Section 19.18.010 of the Chula Vista Municipal Code to rezone the site as depicted in Exhibit A from CTP to R-3 (Apartment Residential).

C. DENSITY BONUS

Pursuant to Government Code section 65915(d)(2)(C), an applicant shall receive three incentives or concessions for projects that include at least 30 percent of the total units for lower income households, or at least 15 percent for very low income households. Staff has reviewed the requested concessions from the City's development standards. The density bonus concessions of parking, open space and building setback reductions help to offset an otherwise greater financing gap, which could result in the infeasibility of the project. Additionally, the concessions do not have any specific adverse impacts as noted in California Government Code.

The parking spaces proposed appear to be adequate based on data of similar affordable housing projects located throughout San Diego County.

While the proposed setback would deviate from the Zoning Ordinance, the reduction in the setback would afford the project a more urban and pedestrian-oriented character by being closer to the sidewalk, as compared with a suburban type of development with larger front setbacks. An urban project is more compatible with the urban character of the western part of the City.

The reduction in required usable open space of 3,731 square feet will not affect the residents' quality of life, as the proposed open space is well designed, and will be serviced by a variety of programs to keep the residents active and involved. Residents will experience either a private balcony or patio, a tot lot for the children, open play space, and a barbecue area with seating and tables for the residents' use, and an 807 square foot community center will provide resident services programs including computer classes, tutoring, arts and crafts, and outdoor recreation activities.

BE IT FURTHER RESOLVED THAT THE CHULA VISTA REDEVELOPMENT CORPORATION after considering all reports, evidence and testimony presented at the public hearing with respect to the Rezone and the application for incentives and concessions pursuant to Density Bonus Law, finds that the Amendment of the Zoning Maps to rezone the 1.46-acre site at 1501 Broadway from the CT-P Zone to R-3 Zone is consistent with the City of Chula Vista General Plan and is supported by public necessity, convenience, general welfare, and good zoning practice.

BE IT FURTHER RESOLVED THAT THE CHULA VISTA REDEVELOPMENT CORPORATION recommends that the City Council adopt an ordinance adopting Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program IS-07-017, amending the zoning maps established by Municipal Code section 19.18.010 by rezoning the 1.46-acre site located at 1501 Broadway from the CT-P Zone to R-3 Zone, and approving incentives and concessions pursuant to Density Bonus Law for the reduction of certain development standards to allow the construction of a 42-unit multi-family affordable housing project.

BE IT FURTHER RESOLVED THAT THE CHULA VISTA REDEVELOPMENT CORPORATION directs that a copy of this Resolution be transmitted to the City Council and Applicant.

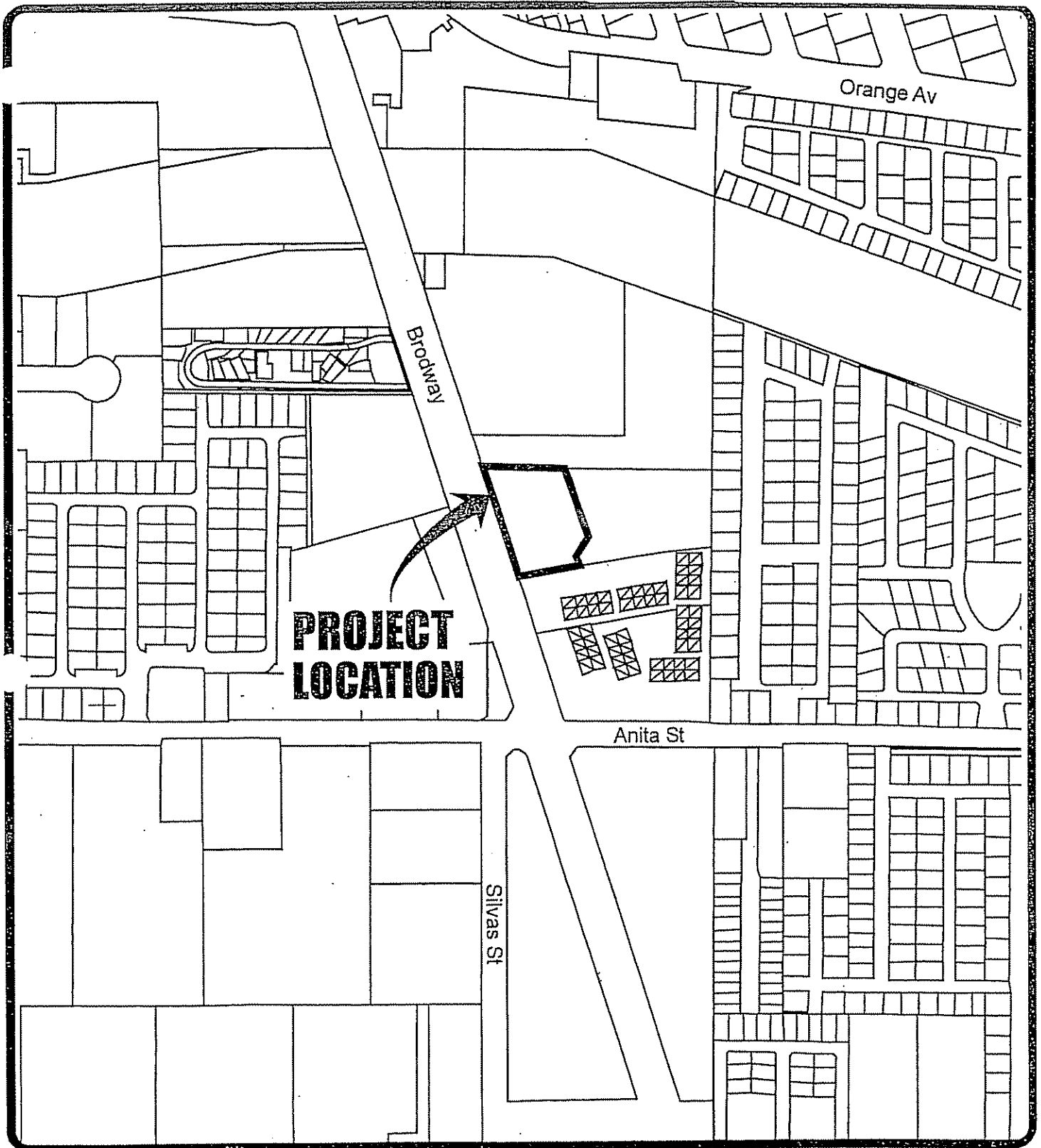
Presented by

Ann Hix
Acting Community Development Director

Approved as to form by


Ann Moore
City Attorney

EXHIBIT A



CHULA VISTA PLANNING AND BUILDING DEPARTMENT

LOCATOR



NORTH

PROJECT APPLICANT: Wakeland Housing & Development Corp.

PROJECT ADDRESS: 1501 Broadway 2 AS

SCALE: No Scale

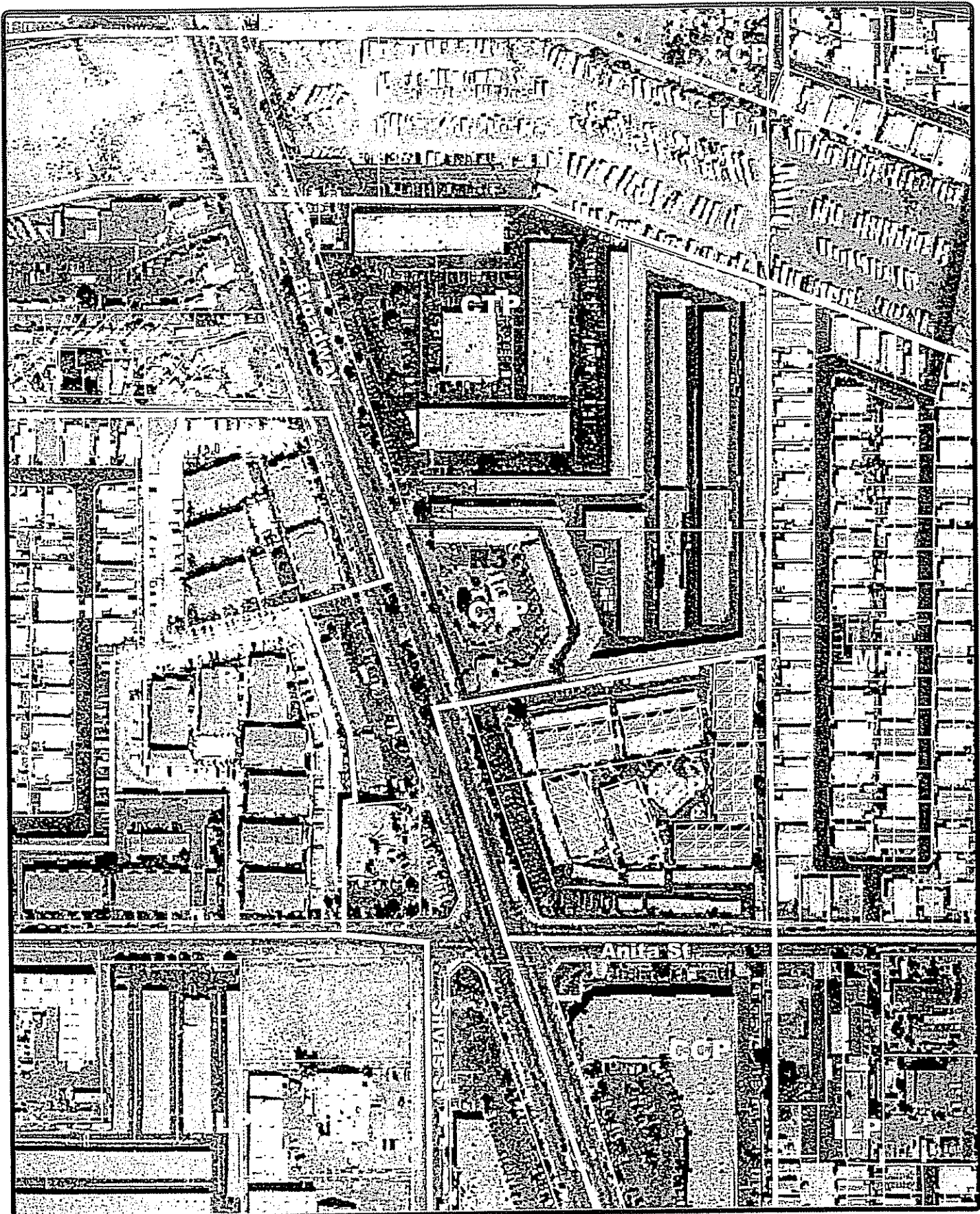
FILE NUMBER: DCR-07-27

PROJECT DESCRIPTION:

DESIGN REVIEW

Project Summary: Proposed: 42-units of affordable, multifamily rental housing with a community center for residents.

Related cases: IS-07-017, PCZ-07-06 & PCC-07-037



2A4

City of Chula Vista

"LOS VECINOS" PROJECT LOCATION

 Project Location / Proposed Zone Change
 Existing Zones

ORDINANCE NO. 2007-_____

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING MITIGATED NEGATIVE DECLARATION IS-07-017, AMENDING THE ZONING MAPS ESTABLISHED BY MUNICIPAL CODE SECTION 19.18.010 BY REZONING ONE PARCEL CONSISTING OF 1.46 ACRES LOCATED AT 1501 BROADWAY FROM CT-P (COMMERCIAL THOROUGHFARE WITH PRECISE PLAN) TO R-3 (APARTMENT RESIDENTIAL), AND APPROVING INCENTIVES AND CONCESSIONS PURSUANT TO THE DENSITY BONUS LAW FOR THE REDUCTION IN CERTAIN DEVELOPMENT STANDARDS FOR THE DEVELOPMENT OF AN AFFORDABLE FOR-RENT PROJECT BY WAKELAND HOUSING DEVELOPMENT.

I. RECITALS

A. Project Site

WHEREAS, the area of land, which is the subject of this ordinance is depicted in Exhibit "A", which is incorporated into this ordinance by this reference, and for the purpose of general description herein consists of 1.46 acres of land located at 1501 Broadway, within the Merged Chula Vista Redevelopment Project ("Project Site"); and

B. Project; Application for Discretionary Approval

WHEREAS, on December 14, 2006 a duly verified application for a Rezone (PCZ-07-06) and Design Review Permit (DRC-07-27) was filed with the City of Chula Vista on behalf of the Wakeland Development Corporation ("Applicant") to allow the construction of a 42-unit affordable housing project located at 1501 Broadway ("Project"); and

C. Planning Commission and Chula Vista Redevelopment Corporation Record on Application

WHEREAS, the Planning Commission held an advertised public hearing on the Project on May 23, 2007, at 6 p.m. in the City Council Chambers at 276 Fourth Avenue, and after hearing staff presentation and public testimony, voted 7-0 to recommend that the City Council approve the amendment of the zoning maps to rezone the Project Site from CT-P to R-3 and to approve incentives and concessions pursuant to Density Bonus law; and

WHEREAS, the proceedings and all evidence introduced before the Planning Commission at the public hearing on this project held on May 23, 2006, and the minutes and the resulting resolution, are incorporated into the record of this proceeding; and

WHEREAS, the Chula Vista Redevelopment Corporation held an advertised public hearing on this Project on June 14, 2007 and voted ____ to recommend that the City Council

approve the amendment of the zoning maps to rezone the Project Site from CT-P to R-3 and to approve incentives and concessions pursuant to Density Bonus law; and

WHEREAS, the proceedings and all evidence introduced on this Project before the Chula Vista Redevelopment Corporation at their public hearing held on May 23, 2007, and the minutes and the resulting resolutions, are incorporated into the record of this proceeding; and

D. City Council Record on Application

WHEREAS, a duly called and noticed public hearing on the proposed amendment of the zoning maps to rezone the Project Site from CT-P to R-3 and to approve incentives and concessions pursuant to Density Bonus law was held before the City Council of the City of Chula Vista to receive the recommendations of the Planning Commission and the Chula Vista Redevelopment Corporation, and to hear public testimony with regard to the same; and

WHEREAS, the City Council held an advertised public hearing on the project on June 14, 2007, at 6:00 p.m. in the Council Chambers at 276 Fourth Avenue and, after hearing staff presentation and public testimony, the Council voted _____ to adopt Mitigated Negative Declaration IS-07-017, to approve the amendment of the zoning maps to rezone the Project Site from CT-P to R-3, and to approve incentives and concessions pursuant to Density Bonus law; and

II. The City Council of the City of Chula Vista ordains as follows:

A. Compliance with CEQA

WHEREAS, the Environmental Review Coordinator has reviewed the proposed Project for compliance with CEQA and has conducted an Initial Study, IS-07-017 in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, Based upon results of the Initial Study, the Environmental Review Coordinator determined that the project could result in effects on the environment. However, revisions to the project made by, or agreed to, by the applicant would avoid the effects, or mitigate the effects, to a point where clearly no significant effects would occur. Therefore, the Environmental Review Coordinator has prepared a Mitigated Negative Declaration, IS-07-017.

B. The City Council certifies that the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program IS-07-017 was prepared in compliance with the requirements of CEQA, the State CEQA Guidelines and the Environmental Review Procedures of the City of Chula Vista, that the City Council has reviewed and considered the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program, and that the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program reflect the independent judgment and analysis of the City Council; therefore, the City Council of the City of Chula Vista adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program IS-07-017.

C. The rezoning of the Project Site is consistent with the City of Chula Vista General Plan, public necessity, convenience and the general welfare and good zoning practice support the amendments to the Municipal Code.

D. The City of Chula Vista Zoning Map established by Section 19.18.010 of the Chula Vista Municipal Code is amended to rezone the Project Site as depicted in Exhibit "A" from the CT-P (Commercial Thoroughfare with Precise Plan) to R-3 (Apartment Residential).

E. The City Council approves the incentives and concessions, outlined in the Chula Vista Redevelopment Corporation Staff Report dated June 14, 2007, pursuant to Density Bonus Law for the reduction of certain development standards to allow the construction of a 42-unit multi-family affordable housing project.

III. EFFECTIVE DATE

This ordinance shall take effect and be in full force on the thirtieth day from and after its adoption.

Presented by:

Approved as to form by

Ann Hix
Acting Community Development Director



Ann Moore
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 14th day of June 2007, by the following vote:

AYES:	Councilmembers:	
NAYES:	Agency Members:	None
ABSENT:	Agency Members:	

Cheryl Cox, Mayor

ATTEST:

Susan Bigelow, MMC, City Clerk

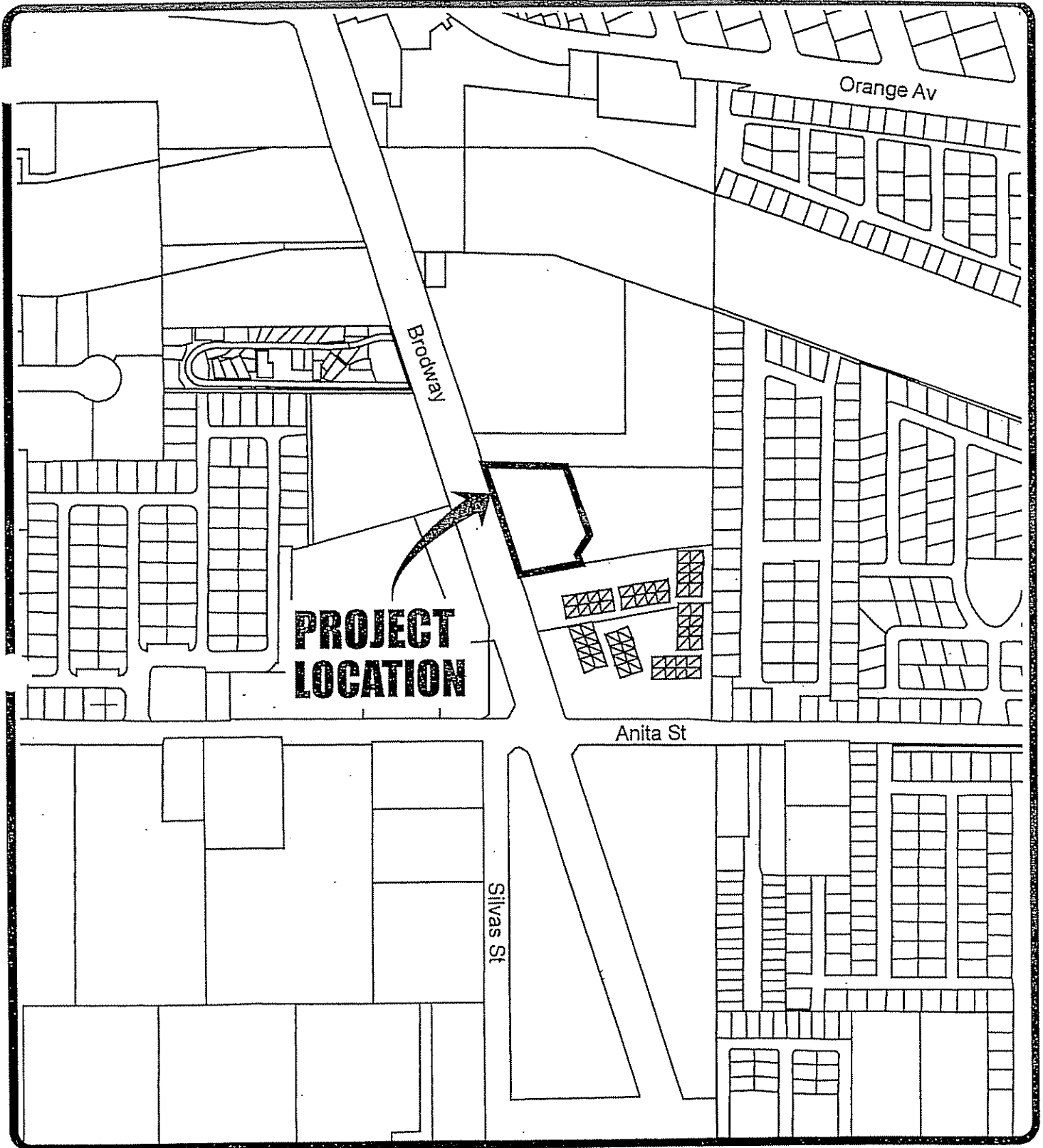
STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Susan Bigelow, City Clerk of the City of Chula Vista, do hereby certify that the foregoing Ordinance No. _____ had its first reading at an adjourned regular meeting held on the 16th day of November, 2006, and its second reading and adoption at a regular meeting of said City Council held on the ____ day of _____ 2006.

Executed this ____ day of _____ 2006.

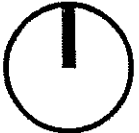
Susan Bigelow, MMC, City Clerk

EXHIBIT A



CHULA VISTA PLANNING AND BUILDING DEPARTMENT

LOCATOR



NORTH

PROJECT APPLICANT: Wakeland Housing & Development Corp.

PROJECT ADDRESS: 1501 Broadway 2B5

SCALE: No Scale

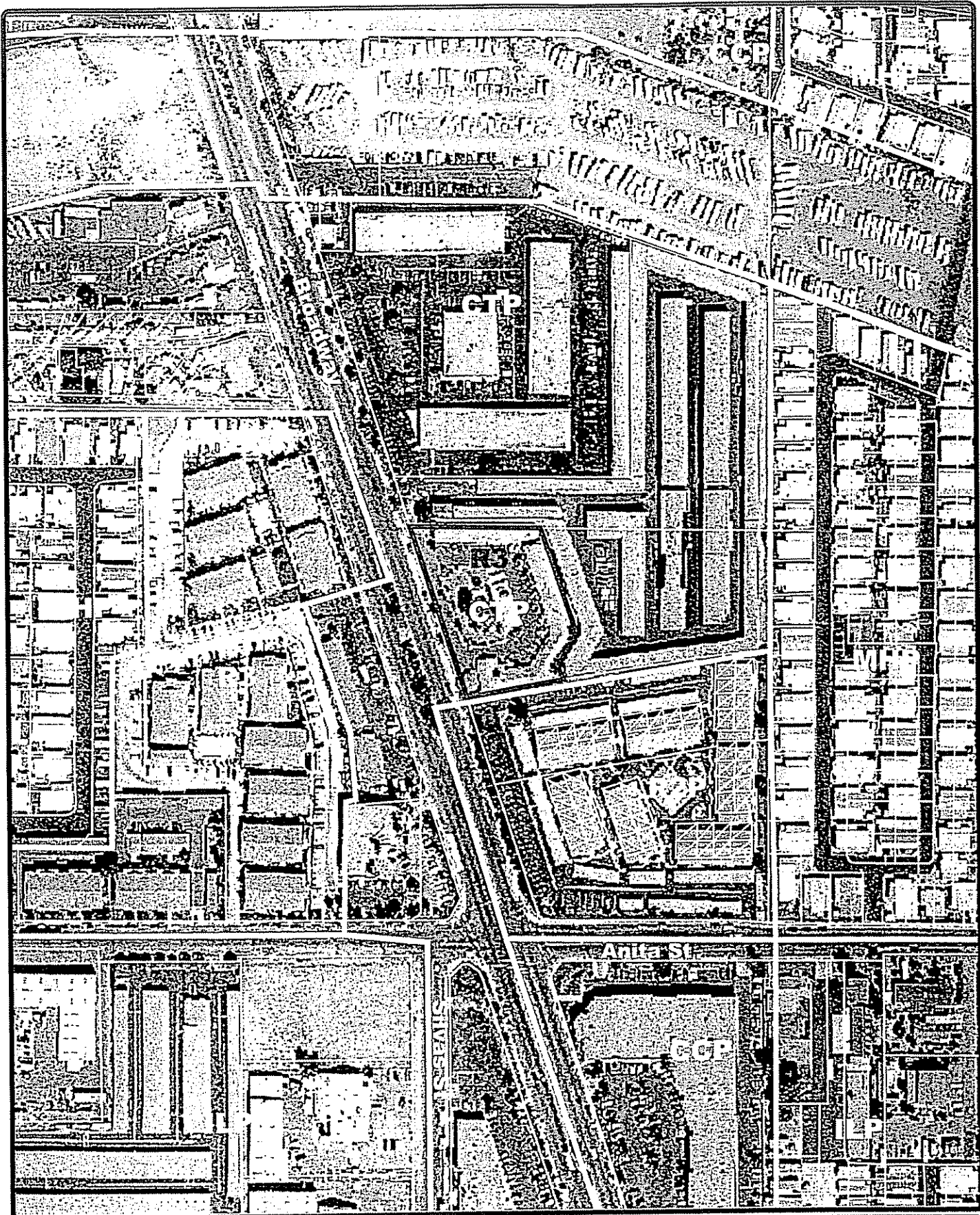
FILE NUMBER: DCR-07-27

PROJECT DESCRIPTION:

DESIGN REVIEW

Project Summary: Proposed: 42-units of affordable, multifamily rental housing with a community center for residents.

Related cases: IS-07-017, PCZ-07-06 & PCC-07-037



2016

City of Chula Vista

"LOS VECINOS" PROJECT LOCATION

— Project Location / Proposed Zone Change
 - - - Existing Zones

CVRC RESOLUTION NO. 2007-

RESOLUTION OF THE CHULA VISTA REDEVELOPMENT CORPORATION APPROVING DESIGN REVIEW PERMIT (DRC-07-27) AND RECOMMENDING CONDITIONAL APPROVAL OF FINANCIAL ASSISTANCE IN AN AMOUNT NOT-TO-EXCEED \$5,480,000, SUBJECT TO FUTURE APPROPRIATION FROM THE UNAPPROPRIATED BALANCE IN THE LOW AND MODERATE INCOME HOUSING FUND TO WAKELAND HOUSING AND DEVELOPMENT CORPORATION FOR THE DEVELOPMENT AND OPERATION OF AN AFFORDABLE RENTAL HOUSING DEVELOPMENT TO BE LOCATED AT 1501 BROADWAY IN THE CITY OF CHULA VISTA

WHEREAS, the parcel, which is the subject matter of this resolution, is represented in Exhibit A attached hereto and incorporated herein by this reference, and for the purpose of general description is located at 1501 Broadway, Chula Vista; and

WHEREAS, on December 14, 2006 a duly verified application for a Rezone (PCZ-07-06) and Design Review Permit (DRC-07-27) was filed with the City of Chula Vista on behalf of Wakeland Housing and Development Corporation ("Applicant") to allow the construction of a 42-unit affordable housing project at the 1.46-acre site located at 1501 Broadway ("Project"); and

WHEREAS, the Environmental Review Coordinator reviewed the proposed project for compliance with the California Environmental Quality Act and prepared an Initial Study, IS-07-017, in accordance with the California Environmental Quality Act (CEQA). Based upon results of the Initial Study, the Environmental Review Coordinator determined that the project could result in effects on the environment. However, revisions to the project made by, or agreed to, by the applicant would avoid the effects, or mitigate the effects, to a point where clearly no significant effects would occur. Therefore, the Environmental Review Coordinator has prepared a Mitigated Negative Declaration, IS-07-017; and

WHEREAS, on May 23, 2007, the Planning Commission, after considering all evidence and testimony presented, recommended by a vote of 7-0 that the City of Chula Vista City Council approve Rezone (PCZ-07-06) of the 1.46 acre site from CTP to R-3 zone; and

WHEREAS, a hearing time and place was set by the Chula Vista Redevelopment Corporation ("CVRC") for consideration of the Project and notice of said hearing, together with its purpose, was given by its publication in a newspaper of general circulation in the City, and its mailing to property owners and residents within 500 feet of the exterior boundaries of the property, at least ten (10) days prior to the hearing; and

WHEREAS, the Chula Vista Redevelopment Corporation held a duly noticed public hearing to consider said application at the time and place as advertised, namely June 14, 2007 at 6:00 p.m. in the Council Chambers, 276 Fourth Avenue, before the Chula Vista Redevelopment

Corporation and said hearing was thereafter closed.

WHEREAS, California Health and Safety Code Sections 33334.2 and 33334.6 authorize and direct the Redevelopment Agency of the City of Chula Vista (the "Agency") to expend a certain percentage of all taxes which are allocated to the Agency pursuant to Section 33670 for the purposes of increasing, improving and preserving the community's supply of low and moderate income housing available at affordable housing cost to persons and families of low- and moderate-income, lower income, and very low income; and

WHEREAS, pursuant to applicable law the Agency has established a Low and Moderate Income Housing Fund (the "Housing Fund"); and

WHEREAS, pursuant to Health and Safety Code Section 33334.2(e), in carrying out its affordable housing activities, the Agency is authorized to provide subsidies to or for the benefit of very low income and lower income households, or persons and families of low or moderate income, to the extent those households cannot obtain housing at affordable costs on the open market, and to provide financial assistance for the construction and rehabilitation of housing which will be made available at an affordable housing cost to such persons; and

WHEREAS, pursuant to Section 33413(b), the Agency is required to ensure that at least 15 percent of all new and substantially rehabilitated dwelling units developed within a project area under the jurisdiction of the Agency by private or public entities or persons other than the Agency shall be available at affordable housing cost to persons and families of low or moderate income; and

WHEREAS, Wakeland Housing and Development Corporation (the "Developer") proposes to construct an affordable rental housing development targeting predominately extremely low and very low households at 50 percent or less of the Area Median Income (AMI) to be located at 1501 Broadway within the Merged Chula Vista Project Area; and

WHEREAS, in order to carry out and implement the Redevelopment Plan for the Agency's redevelopment projects and the affordable housing requirements and goals thereof, the Agency entered into an Agency Predevelopment Loan Agreement (the "Predevelopment Loan Agreement") with the Developer, pursuant to which the Developer agreed to develop the Project for occupancy of all apartment units in the Project to very low and lower income households and rent those units at an affordable housing cost; and

WHEREAS, the Agency Predevelopment Loan Agreement will leverage the investment of the Agency and City by requiring the Developer to obtain additional financing for the construction and operation of the Project through such resources as "9% Tax Credits" to be generated by the Project; and

WHEREAS, the Project is located within the Agency's Merged Chula Vista Redevelopment Project Area and development and operation of the Project pursuant to an Exclusive Negotiating Agreement (ENA) would benefit the Agency's redevelopment project areas by providing affordable housing for persons who currently live and work within those

redevelopment project areas; and

WHEREAS, the Agency has adopted an Implementation Plan pursuant to Health and Safety Code Section 33490, which sets forth the objective of providing housing to satisfy the needs and desires of various age, income and ethnic groups of the community, and which specifically provides for the new construction of rental housing units through Agency assistance; and

WHEREAS, the Agency ENA furthers the goals of the Agency to facilitate the creation of affordable housing which will serve the residents of the neighborhood and the City as set forth in the Implementation Plan; and

WHEREAS, the Project is in conformance with the City of Chula Vista Design Manual, Landscape Manual and the requirements of the Zoning Ordinance; and

WHEREAS, Staff has developed Design Review Conditions, provided as Exhibit B, to ensure the Project is developed and maintained subject to certain criteria.

NOW, THEREFORE, BE IT RESOLVED that the Chula Vista Redevelopment Corporation does hereby find, determine, and resolve as follows:

The Chula Vista Redevelopment Corporation does hereby find that the Project is in conformance with the City of Chula Vista Design Manual, Landscape Manual and the requirements of the Zoning Ordinance and hereby approves the Design Review Permit (DRC-07-27), subject to conditions of Exhibit B.

BE IT FURTHER RESOLVED THAT:

The Chula Vista Redevelopment Corporation does hereby recommend conditional approval of financial assistance subject to future appropriation in an amount not-to-exceed \$5,480,000 from the Agency's Low and Moderate Income Housing Fund to the Developer for the construction of the Project subject to the Agency's approval of an affordable housing regulatory and loan agreement.

PRESENTED BY

APPROVED AS TO FORM BY

Ann Hix
Secretary


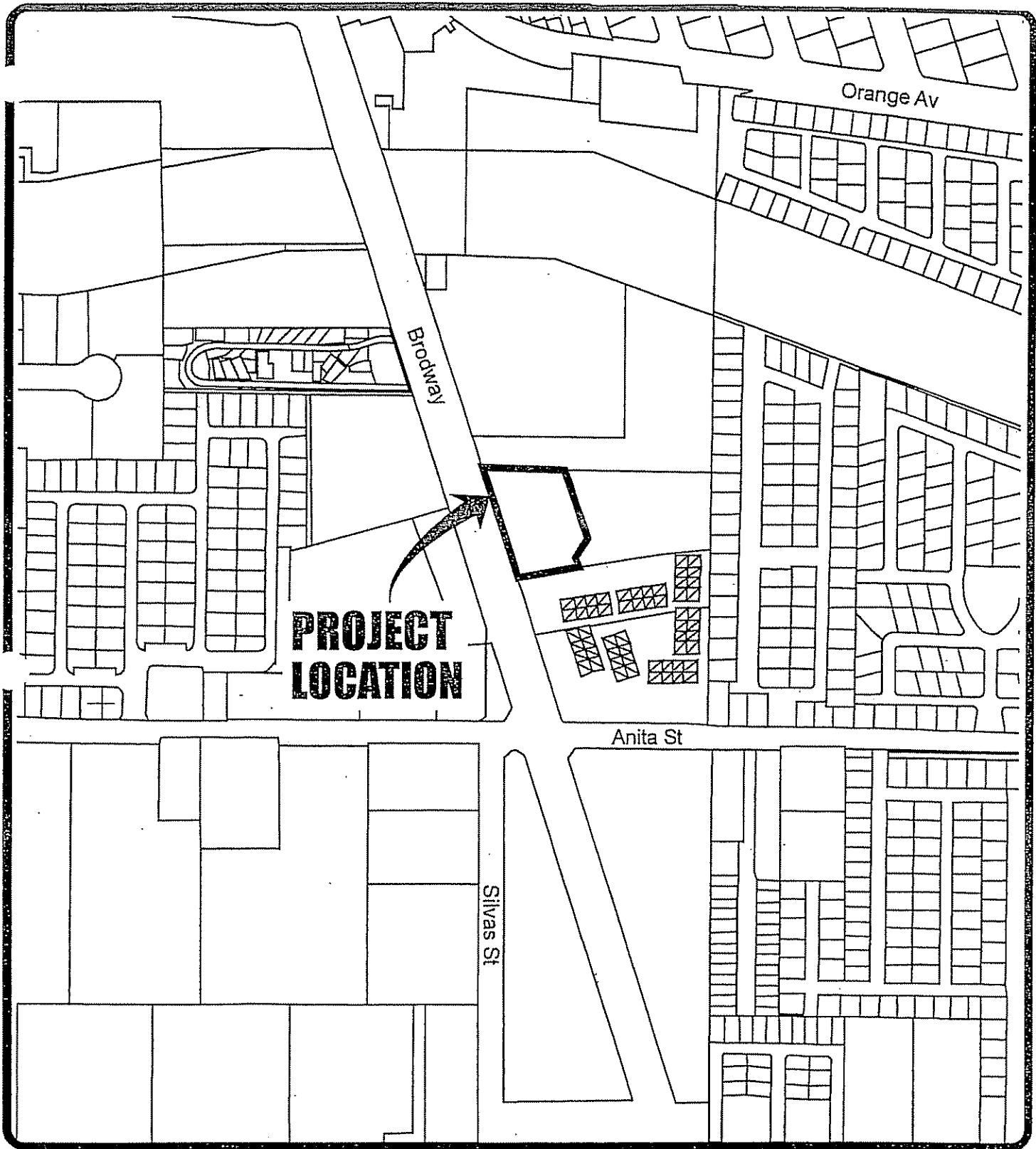
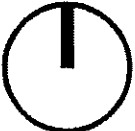

Ann Moore
General Counsel

EXHIBIT A



CHULA VISTA PLANNING AND BUILDING DEPARTMENT

LOCATOR



NORTH

PROJECT APPLICANT: Wakeland Housing & Development Corp.

PROJECT ADDRESS: 1501 Broadway 2C4

SCALE: No Scale

FILE NUMBER: DCR-07-27

PROJECT DESCRIPTION:

DESIGN REVIEW

Project Summary: Proposed: 42-units of affordable, multifamily rental housing with a community center for residents.

Related cases: IS-07-017, PCZ-07-06 & PCC-07-037

EXHIBIT B

**Design Review Conditions of Approval
Los Vecinos Affordable Housing Project
1501 Broadway**

The Chula Vista Redevelopment Corporation does hereby approve Design Review Permit DRC-07-27 subject to the following conditions:

COMMUNITY DEVELOPMENT DEPARTMENT

1. The subject property shall be developed and maintained in substantial conformance with the approved application, plans, and color and material board, except as modified herein.
2. Applicant shall submit all exterior lighting plans, landscape and irrigation plans, solid waste and recycling plans for review and approval prior to the issuance of building permits.
3. All utility meters and closets shall be painted to match the colors of the building elevations.
4. Identification signs shall be limited to those signs permitted by Section 19.60.400 and Section 19.60.410 of the Chula Vista Municipal Code (CVMC) and shall comply with the regulations stated therein.
5. A graffiti resistant treatment shall be specified for all wall and building surfaces and shall be noted on all building and wall plans prior to issuance of building permits.
6. The applicant/owner shall comply with all applicable federal, state, and local requirements, and in any case where it does not comply, this permit is subject to modification or revocation.
7. This permit shall become void and ineffective if not used or extended within one year from the effective date thereof, in accordance with Section 19.14.600 of the Municipal Code.
8. This permit shall be subject to any and all new, modified, or deleted conditions imposed after approval of this permit to protect the public from a specific condition dangerous to its health or safety or both due to the project, which condition(s) the City shall impose after advance written notice to the permittee and after the City has given the permittee the right to be heard with regard thereto. However, the City in exercising this reserved right/condition, may not impose a substantial expense or deprive permittee of a substantial revenue source which the permittee cannot, in the normal operation of the use permitted, be expected to economically recover.
9. The applicant shall and does hereby agree to indemnify, protect, defend, and hold harmless the City, its Council members, officers, employees, agents, and representatives from and against all liabilities, losses, damages, demands, claims, and costs, including court costs and attorney's fees (collectively, liabilities) incurred by the City arising directly or indirectly from a) City's approval and issuance of this permit, b) City's approval or issuance of any other permit or action, whether discretionary or non discretionary, in connection with the use contemplated herein, and without limitation, any and all liabilities arising from the operation of the facility. Applicant shall acknowledge their agreement to this provision by executing a copy of this permit where indicated below. The applicant's compliance with this provision

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is an express condition of this permit and this provision shall be binding on any and all of the applicant's successors and assigns.

Applicant

Property Owner

PLANNING AND BUILDING DEPARTMENT CONDITIONS

10. All ground mounted utility appurtenances, such as transformers, AC condensers, etc., shall be located out of public view and adequately screened using a combination of concrete or masonry walls, grade contouring (berming), and landscaping to the satisfaction of the City.
11. Prior to the issuance of building permits, plans shall clearly show and provide detailed information on the finish grade behind the retaining wall at the easterly property line.
12. Plans shall clearly show and provide landscape drainage within required planter areas prior to the issuance of building permits. The Private Catch Basin design (C-2, Detail B) shall be replaced with a landscape drainage design prepared by the landscape architect.
13. Prior to the issuance of building permits, plans shall provide a minimum 5½ feet clear for tree planting at the easterly property line. Applicant shall revise the retaining wall design for this purpose.
14. Plans submitted for building permits shall contain a statement on the cover sheet indicating that this project will comply with Title 24 (2005 Energy Conservation and 2001 Disable Access Regulations).
15. The project shall comply with applicable codes and requirements, including but not limited to 2001 CBC, CFC, CMC, CPC, ADA, and 2004 CEC requirements.
16. Plans submitted for building permits shall specify Type of Construction, which shall be type V 1 hour fully sprinkled. Plans shall also identify rated corridors.
17. Applicant shall justify Type of Construction for square footages and type of occupancies per Chapter 5 of the California Building Code (Table 5A and 5B). Indicate on the plans the square footage of each type of occupancy R-1, A-3 B and U-1 (Carports). Detail property line or assumed property line between Community Room and Apartments. For A-3 occupancy Type V-One hour construction when less than five feet from property line two hour exterior bearing and non-bearing wall construction required, one hour elsewhere.
18. Plans shall show location of area separation walls.
19. Exit signs shall be internally or externally illuminated. When the face of an exist sign is illuminated from an external source, it shall have an intensity of not less than 5-foot candles

(54 (lx)) from either of two electric lamps. Internally illuminated signs shall provide equivalent luminance and be listed for the purpose.

20. ABS and PVS installation shall be limited to residential construction not more than two stories in height. CBC 701.1.2A "Cast iron pipes are required".
21. Factory-made (Flexible Ducts) air ducts may not be used for vertical risers in air ducts systems serving more than two stories. Flexible ducts are not allowed to be used for vertical risers in 3 or more story dwelling (R-3 Group) (CMC 2001 Section 604.20).
22. Plans shall provide a detail to show that the area separation wall will comply with Section 504.6.
23. Plans shall include the following note: "Plumbing penetration of area separation must be cast iron on wrought iron."
24. Ducts through two-hour area separation walls shall require dampers.
25. Smoke and fire dampers must be installed in the following locations per Section 713.11:
 - a) Duct penetrations of area or occupancy separation walls with ratings of two hours or less.
 - b) Ducts passing through horizontal exit walls.
 - c) Ducts penetrating shafts (see exception).
 - d) Ducts penetrating fire-resistant elements of fire-rated corridor walls. See exception for steel ducts with no opening into corridor.
26. The applicant shall implement to the satisfaction of the Planning and Building Department and the City Engineering Division the mitigation measures identified in the Los Vecinos Mitigated Negative Declaration (IS-07-017) and Mitigation Monitoring and Reporting Program.

ENGINEERING AND PUBLIC WORKS DEPARTMENT CONDITIONS

27. Plans shall incorporate, prior to the issuance of building permits, features to help meet NPDES Standards. These features shall maximize infiltration and minimize impervious land coverage while conveying storm water runoff.
28. All proposed sidewalks and walkways, including those within or outside the public ROW, pedestrian ramps, and disabled parking shall be designed to meet ADA standards.
29. The following fees shall be required based on the final building plans submitted:
 - a) Sewer Connection and Capacity Fees
 - b) Traffic Signal Fees
 - c) Public Facilities DIF

30. Additional deposits and fees in accordance with the City Subdivision Manual shall be required for the submittal of Grading Plans and Improvement Plans/Construction Permits.
31. Any private facilities within the ROW or City's easements shall require an encroachment permit.
32. Grading plans in conformance with the City's Subdivision Manual and a grading permit will be required prior to issuance of any building permits. The grading plans shall be submitted to the Engineering Department upon the approval of the Design Review Permit, as follows:
- a) The grading plans shall be prepared by a registered civil engineer and approved by the City Engineer.
 - b) A drainage study and geotechnical/soils study are required with the first submittal of grading plans. The drainage study shall calculate the pre-developed and post-developed flows and show how downstream properties and storm drain facilities are impacted. Design should incorporate detention of storm water runoff if required.
 - c) All retaining wall shall be noted in the grading plans and include a detailed wall profile. Structural wall calculations are required if walls are not built per City Standards and if fences are to be placed on top of retaining walls.
 - d) The grading plans shall conform to the City Storm Water Management requirements.
 - e) All onsite drainage facilities shall be private.
 - f) Any offsite work will require letters of permission from the property owner.
33. The project requires construction permit from the Engineering Department to perform the following work in City's right-of-way:
- a. Private storm drain connection to Public storm drain.
 - b. Installation of a driveway meeting design standards as shown in Chula Vista standard detail CVCS-IA. Dedicate R/W as needed in order for driveways to comply with ADA.
 - c. Replace existing driveway with monolithic curb, gutter, and sidewalk with proper *transitions to existing conditions*.
 - d. Installation of pedestrian ramps meeting ADA standards, if needed.
 - e. Proposed 8" sewer lateral must connect to the main public sewer by a manhole.
 - f. Extension of sewer main and the proposed sewer lateral.
 - g. All utilities serving the proposed project shall be underground.
34. Any onsite sewer and storm drain system shall be private unless otherwise determined by the Director of Public Works. All private sewer laterals and storm drains shall be privately maintained from each building to the City maintained public facilities.
35. For the proposed private sewer facilities, Manholes shall be used where 6" mains are connected to public sewer.

36. Provide a sewer study showing there's adequate capacity in the existing public sewer system and that sewer flows will have velocity of 2 fps or greater.

37. The approved street improvement, grading plan, final map and site improvement plan shall all be submitted in digital form in California State Plane Coordinate System (NAD 83, Zone 6).

38. The applicant is required to complete the applicable Storm Water Compliance Forms and comply with the City of Chula Vista's Storm Water Management Standards Requirements Manual. These forms shall be submitted with the grading plans. All projects falling under the Priority Development Project Categories are required to comply with the Standard Urban Storm Water Mitigation Plans (SUSMP) and Numeric Sizing Criteria. Based on the Completion of the Storm Water Compliance Forms, the project may be required to submit a SWPPP and Water Quality Technical Report (WQTR) with the submittal of the grading plans. The following items shall be incorporated in the grading plans and related reports:

- a. Grading Plans: The applicant is required to implement Best Management Practices (BMPs) to prevent pollution of the storm water conveyance systems, both during and after construction. Permanent storm water requirements shall be incorporated into the project design, and shall be shown on the grading plans. Any construction and nonstructural BMPs requirements that cannot be shown graphically must be either noted or stapled on the plans.
- b. SWPPP and WQTR: Development of the project shall comply with all applicable regulations, established by the United States Environmental Protection Agency (USEPA) as set forth in National Pollutant Discharge Elimination System (NPDES) permit requirements for urban runoff and storm water discharge, and any regulations adopted by the City of Chula Vista pursuant to the NPDES regulations and requirements. Further, the applicant shall file a Notice of Intent (NOI) with the State Water Resource Control Board to obtain coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction Activity and shall implement a Storm Water Pollution Prevention Plan (SWPPP) concurrent with the commencement of grading activities. The SWPPP shall include both construction post-construction pollution prevention and pollution control measures, and shall identify funding mechanisms for the maintenance of post-construction control measures.
- c. WQTR: The applicant is required to identify storm water pollutants that are potentially generated at the facility, and propose Best Management Practices (BMPs) that will be implemented to prevent such pollutants from entering the storm drainage systems. The WQTR will be required to demonstrate compliance with requirements of the National Pollutant Discharge Elimination System (NPDES) Construction and Municipal Permits, including Standard Urban Storm Water Mitigation Plans (SUSMP) and Numeric Sizing Criteria requirements, with the first submittal of grading/improvement plans, in accordance with the City's Manual.

39. The applicant is to be advised that there may be requirements set at the time his/her development takes place and/or a building permit is applied for, depending upon final plans submitted for building permits. This response is based solely on the plans that were submitted for our review.

FIRE DEPARTMENT CONDITIONS

40. Applicant shall comply with all conditions of the Fire Department prior to the issuance of building permits.

GENERAL SERVICES DEPARTMENT CONDITIONS

41. The applicant shall develop and submit a Recycling and Solid Waste Management Plan to the Environmental Services Program Manager for review and approval prior to the issuance of building permits. The Plan shall demonstrate those steps the Applicant will take to comply with Municipal Code, including but not limited to Sections 8.24, 8.25 and 19.58.340 and meet the State mandate to reduce or divert at least 50% of the waste generated by all residential, commercial and industrial developments (including demolition and construction phases).

42. The applicant shall contract with the City's franchise hauler throughout the construction and occupancy phases of the project.

43. Applicant shall pay, prior to the issuance of building permits, the following Park Acquisition and Development fees per Chapter 17.10 of the Chula Vista Municipal Code:

Park and Acquisition In-Lieu Fees: \$3,707 per dwelling Unit
Parkland Development In-Lieu Fees: \$3,063 per dwelling unit

OTHER CONDITIONS

Sweetwater Authority

44. Applicant shall comply with conditions and requirements of the Sweetwater Authority.

Chula Vista School Districts

45. Applicant shall comply with the conditions and requirements of the Chula Vista Elementary School District and the Sweetwater Union High School District.

RDA RESOLUTION NO. 2007-

RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF CHULA VISTA CONDITIONALLY APPROVING FINANCIAL ASSISTANCE IN AN AMOUNT NOT-TO-EXCEED \$5,480,000, SUBJECT TO FUTURE APPROPRIATION FROM THE UNAPPROPRIATED BALANCE IN THE LOW AND MODERATE INCOME HOUSING FUND TO WAKELAND HOUSING AND DEVELOPMENT CORPORATION FOR THE DEVELOPMENT AND OPERATION OF AN AFFORDABLE RENTAL HOUSING DEVELOPMENT TO BE LOCATED AT 1501 BROADWAY IN THE CITY OF CHULA VISTA

WHEREAS, California Health and Safety Code Sections 33334.2 and 33334.6 authorize and direct the Redevelopment Agency of the City of Chula Vista (the "Agency") to expend a certain percentage of all taxes which are allocated to the Agency pursuant to Section 33670 for the purposes of increasing, improving and preserving the community's supply of low and moderate income housing available at affordable housing cost to persons and families of low- and moderate-income, lower income, and very low income; and

WHEREAS, pursuant to applicable law the Agency has established a Low and Moderate Income Housing Fund (the "Housing Fund"); and

WHEREAS, pursuant to Health and Safety Code Section 33334.2(e), in carrying out its affordable housing activities, the Agency is authorized to provide subsidies to or for the benefit of very low income and lower income households, or persons and families of low or moderate income, to the extent those households cannot obtain housing at affordable costs on the open market, and to provide financial assistance for the construction and rehabilitation of housing which will be made available at an affordable housing cost to such persons; and

WHEREAS, pursuant to Section 33413(b), the Agency is required to ensure that at least 15 percent of all new and substantially rehabilitated dwelling units developed within a Project area under the jurisdiction of the Agency by private or public entities or persons other than the Agency shall be available at affordable housing cost to persons and families of low or moderate income; and

WHEREAS, Wakeland Housing and Development Corporation (the "Developer") proposes to construct an affordable rental housing development targeting predominately extremely low and very low households at 50 percent or less of the Area Median Income (AMI) to be located at 1501 Broadway within the Merged Chula Vista Project Area ("Project"); and

WHEREAS, in order to carry out and implement the Redevelopment Plan for the Agency's redevelopment projects and the affordable housing requirements and goals thereof, the Agency and City propose to enter into a Loan Agreement (the "Loan Agreement") with the Developer, pursuant to which the Agency would make a loan to the Developer (the "Loan"), and the Developer would agree to develop all of the apartment units in the Project for occupancy of very low and lower income households and rent those units at an affordable housing cost; and

WHEREAS, the Agency Loan Agreement will leverage the investment of the Agency by requiring the Developer to obtain additional financing for the construction and operation of the Project through such resources as "9% Tax Credits" to be generated by the Project; and

WHEREAS, the Project is located within the Agency's Merged Chula Vista Redevelopment Project Area and development and operation of the Project pursuant to the Loan Agreement would benefit the Agency's redevelopment Project areas by providing affordable housing for persons who currently live and work within those redevelopment Project areas; and

WHEREAS, the Agency has adopted an Implementation Plan pursuant to Health and Safety Code Section 33490, which sets forth the objective of providing housing to satisfy the needs and desires of various age, income and ethnic groups of the community; and

WHEREAS, the Agency has determined, based on the evaluation of the development budget, 55-year operating pro forma, sources and uses for the Project, that additional financing is appropriate and necessary in order to make the Project feasible; and

WHEREAS, the Agency wishes to provide Developer with a development loan of five million, four hundred eighty thousand dollars (\$5,480,000) from its Housing Fund to assist with the financing gap for the construction of the Project; and

WHEREAS, the City has adopted a Housing Element of the General Plan which sets forth the objective of providing balanced and varied housing opportunities throughout the City to satisfy the needs and desires of various age, income and ethnic groups of the community, and which specifically provides for the construction of new affordable rental housing units through City assistance; and

WHEREAS, on March 28, 2007, the City's Housing Advisory Commission, held a public meeting to consider said request for financial assistance; and

WHEREAS, the Housing Advisory Commission, upon hearing and considering all testimony, if any, of all persons desiring to be heard, and considering all factors relating to the request for financial assistance, has recommended to the Agency that financial assistance be approved on the condition that all other necessary financing be secured for the Project; and

WHEREAS, on the 14th day of June, 2007, the Chula Vista Redevelopment Corporation (CVRC), held a public meeting to consider said request for financial assistance; and

WHEREAS, the CVRC, upon hearing and considering all testimony, if any, of all persons desiring to be heard, and considering all factors relating to the request for financial assistance, has recommended to the Agency that financial assistance be conditionally approved subject to the Agency's approval of an affordable housing regulatory and loan agreement; and

WHEREAS, the Environmental Review Coordinator reviewed the proposed Project for compliance with the California Environmental Quality Act (CEQA) and prepared an Initial Study, IS-07-017, in accordance with the CEQA. Based upon results of the Initial Study, the Environmental Review Coordinator determined that the Project could result in effects on the environment. However, revisions to the Project made by, or agreed to, by the applicant would avoid the effects, or mitigate the effects, to a point where clearly no significant effects would occur. Therefore, the Environmental Review Coordinator has prepared a Mitigated Negative Declaration, IS-07-017.


NOW, THEREFORE, THE REDEVELOPMENT AGENCY OF THE CITY OF CHULA VISTA does hereby conditionally approve financial assistance subject to future appropriation in an amount not-to-exceed \$5,480,000 from the Agency's Low and Moderate Income Housing Fund to Developer for the construction of the Project subject to the Agency's approval of an affordable housing regulatory and loan agreement and, at a minimum, the following terms and conditions:

1. Developer shall secure all other financing necessary for the acquisition and development of the Project.
2. Developer shall enter into a regulatory and loan agreement with the Agency to be considered at a later date by the Redevelopment Agency. The approval of this agreement remains subject to final approval by the Redevelopment Agency which retains its sole and unfettered discretion as to that decision.
3. The loan repayment will be secured by a Deed of Trust and Promissory note for the property on behalf of the Redevelopment Agency of the City of Chula Vista and recorded against the Project property.
4. The term of the loan shall be fifty-five (55) years.
5. Developer will be required to operate the Project consistent with the Regulatory Agreement required by the Project's tax credit financing, and the Agency's Low/Mod financing, the covenants imposed by these Agreements, and any other Project requirements.
6. The Agency assistance is based upon the assumptions presented within the sources and uses of funds, development budget, development proforma and other information filed with the Affordable Housing Review Application for the Project as submitted and reviewed by the Community Development Department. The City assistance is a maximum level of participation. It is expected that any substantive revisions in such financing assumptions which would lead to an increase in other resources available, would therefore reduce the level of Agency assistance.

PRESENTED BY

APPROVED AS TO FORM BY

Ann Hix
Acting Director of Community
Development


Ann Moore
Agency Attorney

PASSED, APPROVED, and ADOPTED by the Redevelopment Agency of the City of Chula Vista, this 14th day of June 2007, by the following vote:

AYES: Agency Members:

NAYS: Agency Members:

ABSENT: Agency Members:

Cheryl Cox, Chair

ATTEST:

Ann Hix, Secretary

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Ann Hix, Secretary of the Redevelopment Agency of the City of Chula Vista, California, do hereby certify that the foregoing Redevelopment Agency Resolution No. 2007- was duly passed, approved, and adopted by the Redevelopment Agency at an adjourned regular meeting of the Redevelopment Agency held on the 14th day of June 2007.

Executed this 14th day of June 2007.

Ann Hix, Secretary

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